

THE
WORKS
OF
WALTER SCOTT, Esq.

VOL. XXXII.

ROMANCES VOL. XXIII.

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ZWICKAU,

PRINTED FOR BROTHERS SCHUMANN.

1822.



THE

W. O. R. S.

OF

WALTER SCOTT, Esq.

1845

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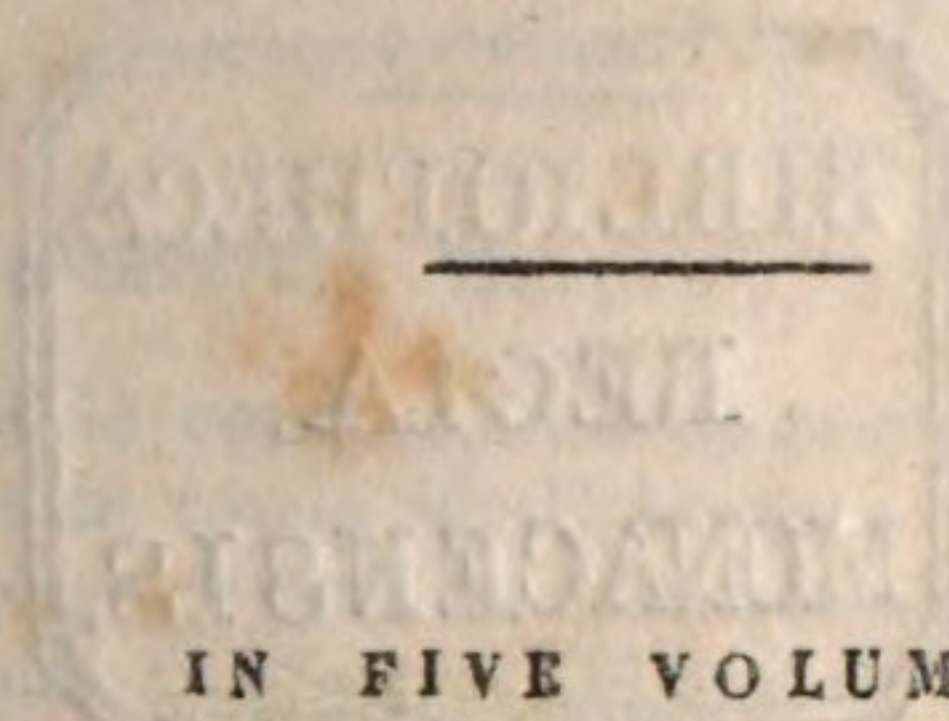
W. O. R. S.



THE  
HEART OF MID-LOTHIAN,

A ROMANCE,

BY THE  
AUTHOR OF "WAVERLEY."

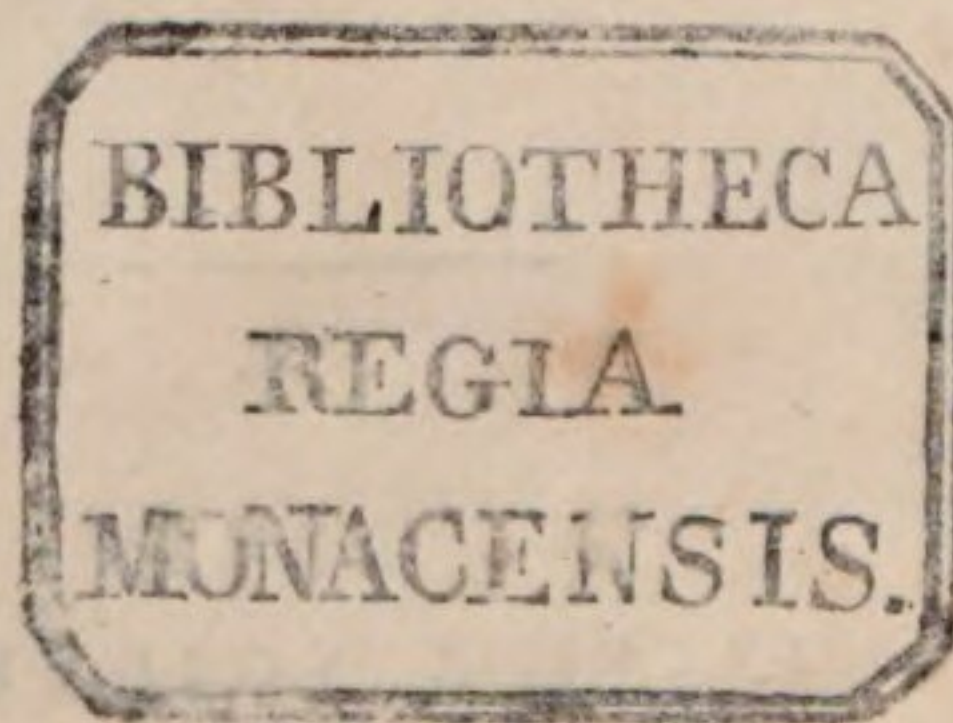
  
IN FIVE VOLUMES.

VOL. I.

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ZWICKAU,

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TO THE BEST OF PATRONS,  
A PLEASED AND INDULGENT READER,  
JEDEDIAH CLEISHBOTHAM

WISHES HEALTH, AND INCREASE, AND CONTENTMENT.

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COURTEOUS READER,

IF ingratitude comprehendeth every vice, surely so foul a stain worst of all beseemeth him whose life has been devoted to instructing youth in virtue and in humane letters. Therefore have I chosen, in this prolegomen, to unload my burden of thanks at thy feet, for the favour with which thou hast kindly entertained the tales of my Landlord. Certes, if thou hast chuckled over their facetious and festidious descriptions, or hast had thy mind filled with pleasure at the strange and pleasant turns of fortune which they record, verily, I have also simpered when I beheld a second story with atticks, that has arisen on the basis of my small domicile at Gandercleugh, the walls having been



aforehand pronounced by Deacon Barrow to be capable of enduring such an elevation. Nor has it been without delectation, that I have endued a new coat, (snuff-brown, and with metal buttons,) having all nether garments corresponding thereto. We do therefore lie, in respect of each other, under a reciprocation of benefits, whereof those received by me being the most solid, (in respect that a new house and a new coat are better than a new tale and an old song,) it is meet that my gratitude should be expressed with the louder voice and more preponderating vehemence. And how should it be so expressed? — Certainly not in words only, but in act and deed. It is with this sole purpose, and disclaiming all intention of purchasing that pendicle or pofle of land called the Carlinescroft, lying adjacent to my garden, and measuring seven acres, three roods, and four perches, that I have committed to the eyes of those who thought well of the former tomes, these four additional volumes of the Tales of my Landlord. Not the less, if Peter Prayfort be minded to sell the said pofle, it is at his own choice to say so; and, peradventure, he may meet with a purchaser: unless (gentle reader) the pleasing pourtraictures of Peter Pattieson, now given unto thee in particular, and unto the public in general, shall have lost their favour in thine eyes, whereof I am no way distrustful. And so much



confidence do I repose in thy continued favour, that, should thy lawful occasions call thee to the town of Gandercleugh, a place frequented by most at one time or other in their lives, I will enrich thine eyes with a sight of those precious manuscripts whence thou hast derived so much delectation, thy nose with a snuff from my mull, and thy palate with a dram from my bottle of strong waters, called, by the learned of Gandercleugh, the Dominie's dribble of drink.

It is there, O highly esteemed and beloved reader, thou wilt be able to bear testimony, through the medium of thine own senses, against the children of vanity, who have sought to identify thy friend and servant with I know not what inditer of vain fables; who hath cumbered the world with his devices, but shrunk from the responsibility thereof. Truly, this hath been well termed a generation hard of faith; since what can a man do to assert his property in a printed tome, saving to put his name in the title-page thereof, with his description, or designation, as the lawyers term it, and place of abode? Truly, I would have such sceptics remember how they themselves would brook to have their works ascribed to others, their names and professions imputed as forgeries, and their very existence brought into question; even although, peradventure, it may be it is of little consequence to any



but themselves, not only whether they are living or dead, but even whether they ever lived or no. Yet have my maligners carried their uncharitable censures yet farther.

These cavillers have not only doubted mine identity, although thus plainly proved, but they have impeached my veracity and the authenticity of my historical narratives! Truly, I can only say in answer, that I have been cautelous in quoting mine authorities. It is true, indeed, that if I had hearkened with only one ear, I might have rehearsed my tale with more acceptation from those who love to hear but half the truth. It is, it may hap, not altogether to the discredit of our kindly nation of Scotland, that we are apt to take an interest, warm, yea partial, in the deeds and sentiments of our forefathers. He whom his adversaries describe as a perjured prelatist, is desirous that his predecessors should be held moderate in their power, and just in their execution of its privileges, when, truly, the unimpassioned peruser of the Annals of these times shall deem them sanguinary, violent, and tyrannical. Again, the representatives of the suffering nonconformists desire that their ancestors, the Cameronians, shall be represented not simply as honest enthusiasts, oppressed for conscience-sake, but persons of fine breeding and valiant heroes. Truly, the historian cannot gratify these



predilections. He must needs describe the cavaliers as proud and high-spirited, cruel, remorseless, and vindictive; the suffering party as honourably tenacious of their opinions under persecution; their own tempers being, however, sullen, fierce, and rude; their opinions absurd and extravagant, and their whole course of conduct that of persons whom hellebore would better have suited than prosecutions unto death for high-treason. Natheless, while such and so preposterous were the opinions on either side, there were, it cannot be doubted, men of virtue and worth on both, to entitle either party to claim merit from its martyrs. It has been demanded of me; Jedediah Cleishbotham, by what right I am entitled to constitute myself an impartial judge of their discrepancies of opinions, seeing (as it is stated) that I must necessarily have descended from one or other of the contending parties, and be, of course, wedded for better or for worse, according to the reasonable practice of Scotland, to its dogmata or opinions, and bound, as it were, by the tie matrimonial, or, to speak without metaphor, *ex jure sanguinis*, to maintain them in preference to all others.

But, nothing denying the rationality of the rule, which calls on all now living to rule their political and religious opinions by those of their great-grand-fathers, and inevitable as seems the



one or the other horn of the dilemma betwixt which my adversaries conceive they have pinned me to the wall, I yet spy some means of refuge, and claim a privilege to write and speak of both parties with impartiality. For, O ye powers of logic! when the prelatists and presbyterians of old times went together by the ears in this unlucky country, my ancestor (venerated be his memory!) was one of the people called Quakers, and suffered severe handling from either side, even to the extenuation of his purse and the incarceration of his person.

Craving thy pardon, gentle Reader, for these few words concerning me and mine, I rest, as above expressed, thy sure and obligated friend,

J. C.

GANDERCLEUGH,

*this 1st of April, 1818.*

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THE  
HEART OF MID-LOTHIAN.



THE  
MID-LOTHIAN

# THE MID-LOTHIAN

THE  
MID-LOTHIAN



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THE  
HEART OF MID-LOTHIAN.

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CHAPTER I.

*Being Introductory.*

*So, down thy hill, romantic Ashbourn, glides  
The Derby dilly, carrying six insides.*

FRERE.

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THE times have changed in nothing more (we follow as we were wont the manuscript of Peter Pattieson) than in the rapid conveyance of intelligence and communication betwixt one part of Scotland and another. It is not above twenty or



thirty years, according to the evidence of many creditable witnesses now alive, since a little miserable horse-cart, performing with difficulty a journey of thirty miles *per diem*, carried our mails from the capital of Scotland to its extremity. Nor was Scotland much more deficient in these accommodations, than our richer sister had been about eighty years before. Fielding, in his Tom Jones, and Farquhar, in a little farce called the Stage-Coach, have ridiculed the slowness of these vehicles of public accommodation. According to the latter authority, the highest bribe could only induce the coachman to promise to anticipate by half an hour the usual time of his arrival at the Bull and Mouth.

But in both countries these ancient, slow, and sure modes of conveyance are now alike unknown; mail-coach races against mail-coach, and high-flyer against high-flyer, through the most remote districts of Britain. And in our village alone, three post-coaches, and four coaches with men armed, and in scarlet cassocks, thunder through the streets each day, and rival in brilliancy and noise the invention of the celebrated tyrant,

*Demens, qui nimbos et non imitabile fulmen,  
Aere et cornipedum pulsu, simularat, equorum.*

Now and then, to complete the resemblance, and to correct the presumption of the venturous



charioteers, it does happen that the career of these dashing rivals of Salmoneus meets with as undesirable and violent a termination as that of their prototype. It is upon such occasions that the Insides and Outsides, to use the appropriate vehicular phrases, have reason to rue the exchange of the slow and safe motion of the ancient Fly-coaches, which, compared with the chariots of Mr Palmer, so ill deserve the name. The ancient vehicle used to settle quietly down, like a ship scuttled and left to sink by the gradual influx of the waters, while the modern is smashed to pieces with the velocity of the same vessel hurled against breakers, or rather with the fury of a bomb bursting at the conclusion of its career through the air. The late ingenious Mr Pennant, whose humour it was to set his face in stern opposition to these speedy conveyances, had collected, I have heard, a formidable list of such casualties, which, joined to the imposition of inkeepers, whose charges the passenger has no time to dispute; the sauciness of the coachman, and the uncontrolled and despotic authority of the tyrant called the Guard, held forth a picture of horror, to which murder, theft, fraud, and peculation, lent all their dark colouring. But that which gratifies the impatience of the human disposition will be practised in the teeth of danger, and in defiance of admonition; and, in despite



of the Cambrian Antiquary, Mail-coaches not only roll their thunders round the base of Penmen-Maur and Cader-Edris, but

Frighted Skiddaw hears afar  
The rattling of the unscythed car.

And perhaps the echoes of Ben-Nevis may soon be awakened by the bugle, not of a warlike chieftain, but of the guard of a mail-coach.

It was a fine summer day, and our little school had obtained a half holiday by the intercession of a good-humoured visitor.\* I expected by the coach a new number of an interesting periodical publication, and walked forward on the highway to meet it, with the impatience which Cowper has described as actuating the resident in the country when longing for intelligence from the mart of news:

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“The grand debate,  
The popular harangue, — the tart reply, —  
The logic, and the wisdom, and the wit,  
And the loud laugh, — I long to know them  
all; —

I burn to set the imprisoned wranglers free,  
And give them voice and utterance again.”

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\* His Honour Gilbert Goslinn of Gandercleugh; for I love to be precise in matters of importance. — J. C.



It was with such feelings that I eyed the approach of the new coach, lately established on our road, and known by the name of the Somerset, which, to say truth, possesses some interest for me, even when it conveys no such important information. The distant tremulous sound of its wheels was heard just as I gained the summit of the gentle ascent, called the Goslin-brae, from which you command an extensive view down the valley of the river Gander. The public road, which comes up the side of that stream, and crosses it at a bridge about a quarter of a mile from the place where I was standing, runs partly through enclosures and plantations, and partly through open pasture land. It is a childish amusement perhaps, but my life has been spent with children, and why should not my pleasure be like theirs?—childish as it is then, I must own I have had great pleasure in watching the approach of the carriage, where the openings of the road permit it to be seen. The gay glancing of the equipage, its diminished and toy-like appearance at a distance, contrasted with the rapidity of its motion, its appearance and disappearance at intervals, and the progressively increasing sounds that announce its nearer approach, have all to the idle and listless spectator, who has nothing more important to attend to, something of awakening in-



terest. The ridicule may attach to me, which is flung upon many an honest citizen, who watches from the window of his villa the passage of the stage-coach; but it is a very natural source of amusement notwithstanding, and many of those who join in the laugh are perhaps not unused to practise it in secret.

On the present occasion, however, fate had decreed that I should not enjoy the consummation of the amusement, by seeing the coach rattle past me as I sat on the turf, and hearing the hoarse grating voice of the guard as he skimmed forth for my grasp the expected packet, without the carriage checking its course for an instant. I had seen the vehicle thunder down the hill that leads to the bridge with more than its usual impetuosity, glittering all the while by flashes from a cloudy tabernacle of the dust which it had raised, and leaving a train behind it on the road resembling a wreath of summer mist. But it did not appear on the top of the nearer bank within the usual space of three minutes, which frequent observation had enabled me to ascertain was the medium time for crossing the bridge and mounting the ascent. When double that space had elapsed, I became alarmed, and walked hastily forward. As I came in sight of the bridge, the cause of delay was too manifest, for the Somerset had made a summerset in good earnest, and



overturned so completely, that it was literally resting upon the ground, with the roof undermost, and the four wheels in the air. The « exertions of the guard and coachman, » both of whom were gratefully commemorated in the newspapers having succeeded in disentangling the horses by cutting the harness, were now proceeding to extricate the *insides* by a sort of summary and Caesarean process of delivery, forcing the hinges from one of the doors which they could not open otherwise. In this manner were two disconsolate damsels set at liberty from the womb of the leathern conveniency. As they immediately began to settle their clothes, which were a little deranged, as may be presumed, I concluded they had received no injury, and did not venture to obtrude my services at their toilette, for which, I understand, I have since been reflected upon by the fair sufferers. The *outsides*, who must have been discharged from their elevated situation by a shock resembling the springing of a mine, escaped, nevertheless, with the usual allowance of scratches and bruises, excepting three, who, having been pitched into the river Gander, were dimly seen contending with the tide, like the reliques of Aeneas's shipwreck, —

*Rari apparent nantes in gurgite vasto.*



I applied my poor exertions where they seemed to be most needed, and, with the assistance of one or two of the company who had escaped unhurt, easily succeeded in fishing out two of the unfortunate passengers, who were stout active young fellows; and but for the preposterous length of their great-coats, and the equally fashionable latitude and longitude of their Wellington trousers, would have required little assistance from any one. The third was sickly and elderly, and might have perished but for the efforts used to preserve him.

When the two great-coated gentlemen had extricated themselves from the river, and shaken their ears like huge water-dogs, a violent altercation ensued betwixt them and the coachman and guard, concerning the cause of their overthrow. In the course of the squabble, I observed that both my new acquaintances belonged to the law, and that their professional sharpness was like to prove an overmatch for the surly and official tone of the guardians of the vehicle. The dispute ended in the guard assuring the passengers that they should have seats in a heavy coach which would pass that spot in less than half an hour, providing it was not full. Chance seemed to favour this arrangement, for when the expected vehicle arrived, there were only two places occupied in a carriage which professed to carry



six. The two ladies who had been disinterred out of the fallen vehicle were readily admitted, but positive objections were stated by those previously in possession to the admittance of the two lawyers, whose wetted garments being much of the nature of well-soaked sponges, there was every reason to believe they would refund a considerable part of the water they had collected, to the inconvenience of their fellow-passengers. On the other hand, the lawyers rejected a seat on the roof, alleging that they had only taken that station for pleasure for one stage, but were entitled in all respects to free egress and regress from the interior, to which their contract positively referred. After some altercation, in which something was said upon the edict *Nautae cautiones stabularii*, the coach went off, leaving the learned gentlemen to abide by their action of damages.

They immediately applied to me to guide them to the next village and the best inn; and from the account I gave them of the Wallace-head, declared they were much better pleased to stop there than to go forward upon the terms of that impudent scoundrel the guard of the Somerset. All that they now wanted was a lad to carry their travelling bags, who was easily procured from an adjoining cottage; and they prepared to walk forward, when they found there was another



passenger in the same deserted situation with themselves. This was the elderly and sickly-looking person, who had been precipitated into the river along with the two young lawyers. He, it seems, had been too modest to push his own plea against the coachman when he saw that of his betters rejected, and now remained behind with a look of timid anxiety, plainly intimating that he was deficient in those means of recommendation which are necessary passports to the hospitality of an inn.

I ventured to call the attention of the two dashing young blades, for such they seemed, to the desolate condition of their fellow-traveller. They took the hint with ready good-nature.

“O true, Mr Dunover,” said one of the youngsters, “you must not remain on the pavé here; you must go and have some dinner with us — Halkit and I must have a post-chaise to go on, at all events, and we will set you down wherever suits you best.”

The poor man, for such his dress, as well as his diffidence, bespoke him, made the sort of acknowledging bow by which says a Scotchman, “It’s too much honour for the like of me,” and followed humbly behind his gay patrons, all three besprinkling the dusty road as they walked along with the moisture of their drenched garments, and exhibiting the singular and somewhat ridi-



culous appearance of three persons suffering from the opposite extreme of humidity, while the summer sun was at its height, and every thing else around them had the expression of heat and drought. The ridicule did not escape the young gentlemen themselves, and they had made what might be received as one or two tolerable jests on the subject before they had advanced far on their peregrination.

“We cannot complain, like Cowley,” said one of them, “that Gideon’s fleece remains dry, while all around is moist; this is the reverse of the miracle.”

“We ought to be received with gratitude in this good town; we bring a supply of what they seem to need most,” said Halkit.

“And distribute it with unparalleled generosity,” replied his companion; “performing the part of three water-carts for the benefit of their dusty roads.”

“We come before them too,” said Halkit; “in full professional force — counsel and agent” —

“And client,” said the young advocate, looking behind him. And then added, lowering his voice, “that looks as if he had kept such dangerous company too long.”

It was, indeed, too true, that the humble follower of the gay young men had the thread-bare appearance of a worn-out litigant, and I could



not but smile at the conceit, though anxious to conceal my mirth from the object of it.

When we arrived at the Wallace Inn, the elder of the Edinburgh gentlemen, and whom I understood to be a barrister, insisted that I should remain and take part of their dinner; and their inquiries and demands speedily put my landlord and his whole family in motion to produce the best cheer which the larder and cellar afforded, and proceed to cook it to the best advantage, a science in which our entertainers seemed to be admirably skilled. In other respects they were lively young men in the hey-day of youth and good spirits, playing the part which is common to the higher classes of the law at Edinburgh, and which nearly resembles that of the young templars in the days of Steele and Addison. An air of giddy gaiety mingled with the good sense, taste, and information which their conversation exhibited; and it seemed to be their object to unite the character of men of fashion and lovers of the polite arts. A fine gentleman, bred up in the thorough idleness and inanity of pursuit, which I understand is absolutely necessary to the character in perfection, might in all probability have traced a tinge of professional pedantry which marked the barrister in spite of his efforts, and something of active bustle in his companion, and would certainly have detected more



than a fashionable mixture of information and animated interest in the language of both. But to me, who had no pretensions to be so critical, my companions seemed to form a very happy mixture of good breeding and liberal information, with a disposition to lively rattle, pun, and jest, amusing to a grave man, because it is what he himself can least easily command.

The thin pale-faced man, whom their good nature had brought into their society, looked out of place as well as out of spirits; sate on the edge of his seat, and kept the chair at two feet distance from the table, thus incommoding himself considerably in conveying the victuals to his mouth, as if by way of penance for partaking of them in the company of his superiors. A short time after dinner, declining all entreaty to partake of the wine, which circulated freely round, he informed himself of the hour when the chaise had been ordered to attend; and saying, he would be in readiness, modestly withdrew from the apartment.

“Jack.” said the barrister to his companion; “I remember that poor fellow’s face; you spoke more truly than you were aware of; he really is one of my clients, poor man.”

“Poor man!” echoed Halkit — “I suppose you mean he is your one and only client.”

“That’s not my fault, Jack,” replied the other,



whose name I discovered was Hardie. "You are to give me all your business, you know; and if you have none, the learned gentleman here knows nothing can come of nothing."

"You seem to have brought something to nothing though, in the case of that honest man. He looks as if he were just about to honour with his residence the HEART OF MID-LOTHIAN."

"You are mistaken — he is just delivered from it — our friend here looks for an explanation. Pray Mr Pattieson have you been in Edinburgh?"

I answered in the affirmative.

"Then you must have passed, occasionally at least, though probably not so faithfully as I am doomed to do, through a narrow intricate passage, leading out of the north-west corner of the Parliament Square, and passing by a high and antique building, with turrets and iron grates,

Making good the saying odd,  
Near the church and far from God" —

Mr Halkit broke in upon his learned counsel, to contribute his moiety to the riddle — "Having at the door the sign of the Red Man" —

"And being on the whole," resumed the counsellor, interrupting his friend in his turn, "a sort of place where misfortune is happily con-



founded with guilt, where all who are in wish to get out" —

"And where none who have the good luck to be out wish to get in," added his companion.

"I conceive you, gentlemen," replied I; "you mean the prison."

"The prison," added the young lawyer — "You have hit it — the very reverend Tolbooth itself; and let me tell you, you are obliged to us for describing it with so much modesty and brevity; for with whatever amplifications we might have chosen to decorate the subject, you lay entirely at our mercy, since the Fathers Conscript of our city have decreed, that the venerable edifice itself shall not remain in existence to confirm or to confute us."

"Then the Tolbooth of Edinburgh is called the Heart of Mid-Lothian?" said I.

"So termed and reputed, I assure you."

"I think," said I, with the bashful diffidence with which a man lets slip a pun in presence of his superiors, "the metropolitan county may in that case, be said to have a sad heart."

"Right as my glove, Mr Pattieson," added Mr Hardie, "and a close heart, and a hard heart — Keep it up, Jack."

"And a wicked heart, and a poor heart," answered Halkit, doing his best.



“And yet it may be called in some sort a strong heart, and a high heart,” rejoined the advocate. “You see I can put you both out of heart.”

“I have played all my hearts.” said the younger gentleman.

“Then we’ll have another lead,” answered his companion.—“And as to the old and condemned Tolbooth, what pity the same honour cannot be done to it as has been done to many of its inmates. Why should not the Tolbooth have its ‘Last Speech, Confession, and Dying Words?’ The old stones would be just as conscious of the honour as many a poor devil who has dangled like a tassel at the west end of it, while the hawkers were shouting a confession the culprit had never heard of.”

“I am afraid,” said I, “if I might presume to give my opinion, it would be a tale of unvaried sorrow and guilt.”

“Not entirely, my friend,” said Hardie; “a prison is a world within itself, and has its own business, griefs, and joys peculiar to its circle. Its inmates are sometimes short-lived, but so are soldiers on service; they are poor relatively to the world without, but there are degrees of wealth and poverty among them, and so some are relatively rich also. They cannot stir abroad,



but neither can the garrison of a besieged fort, or the crew of a ship at sea; and they are not under a dispensation quite so desperate as either, for they may have as much food as they have money to buy, and are not obliged to work whether they have food or not."

"But what variety of incident," said I, (not without a secret view to my present task,) "could possibly be derived from such a work as you are pleased to talk of?"

"Infinite," replied the young advocate. "Whatever of guilt, crime, imposture, folly, unheard-of misfortunes, and unlooked-for change of fortune, can be found to chequer life, my Last Speech of the Tolbooth should illustrate with examples sufficient to gorge even the public's all-devouring appetite for the wonderful and horrible. The inventor of fictitious narratives has to rack his brains for means to diversify his tale, and after all can hardly hit upon characters or incidents which have not been used again and again, untill they are familiar to the eye of the reader, so that the developement, *enlevement*, the desperate wound of which the hero never dies, the burning fever from which the heroine is sure to recover, become a mere matter of course. I join with my honest friend Crabbe, and have an unlucky propensity to hope when hope is lost, and



to rely upon the cork-jacket, which carries the heroes of romance safe through, all the billows of affliction." He then declaimed the following passage, rather with too much than too little emphasis:

«Much have I fear'd, but am no more afraid,  
When some chaste beauty, by some wretch  
betray'd,

Is drawn away with such distracted speed,  
That she anticipates a dreadful deed.

Not so do I — Let solid walls impound  
The captive fair, and dig a moat around;  
Let there be brazen locks and bars of steel,  
And keepers cruel, such as never feel;  
With not a single note the purse supply,  
And when she begs, let men and maids deny;  
Be windows there from which she dares not  
fall,

And help so distant, 'tis in vain to call:  
Still means of freedom will some Power devise,  
And from the baffled ruffian snatch his prize."

"The end of uncertainty," he concluded, "is the death of interest, and hence it happens that no one now reads novels."

"Hear him, ye gods!" returned his companion.  
«I assure you, Mr Pattieson, you will hardly vi-



sit this learned gentleman, but you are likely to find the new novel most in repute lying on his table, snugly intrenched, however, beneath Stair's Institutes, or an open volume of Morison's Decisions."

"Do I deny it?" said the hopeful jurisconsult, "or wherefore should I, since it is well known these Dalilahs seduce my wisers and my betters? May they not be found lurking amidst the multiplied memorials of our most distinguished counsel, and even peeping from under the cushion of a judge's arm-chair? Our seniors at the bar, within the bar, and even on the bench, read novels, and, if not belied, some of them have written novels into the bargain. I only say, that I read from habit and from indolence, not from real interest; that, like Ancient Pistol devouring his leek, I read and swear till I get to the end of the narrative. But not so in the real records of human vagaries — not so in the State Trials, or in the Books of Adjournal, where every now and then you read new pages of the human heart, and turns of fortune far beyond what the boldest novelist ever attempted to produce from the coinage of his brain."

"And for such narratives," I asked, "you suppose the History of the Prison of Edinburgh might afford appropriate materials?"



“In a degree unusually ample, my dear sir,” said Hardie — “fill your glass, however, in the meanwhile. Was it not for many years the place in which the Scottish parliament met? Was it not James’s place of refuge, when the mob, inflamed by a seditious preacher, broke forth on him with the cries of ‘The sword of the Lord and of Gideon — bring forth the wicked Haman?’ Since that time how many hearts have throbbed within these walls, as the tolling of the neighbouring bell announced to them how fast the sands of their life were ebbing; how many must have sunk at the sound — how many were supported by stubborn pride and dogged resolution — how many by the consolation of religion? Have there not been some, who, looking back on the motives of their crimes, were scarce able to understand how they should have had such temptation as to seduce them from virtue? and have there not, perhaps, been others, who, sensible of their innocence, were divided between indignation at the undeserved doom which they were to undergo, consciousness that they had not deserved it, and racking anxiety to discover some way in which they might yet vindicate themselves? Do you suppose any of these deep, powerful, and agitating feelings, can be recorded and perused without exciting a corresponding depth of deep, powerful, and agitating interest?”



— O! do but wait till I publish the *Causes Celebres* of Caledonia, and you will find no want of a novel or a tragedy for some time to come. The true thing will triumph over the brightest inventions of the most ardent imagination. *Magna est veritas et praevalabit* »

«I have understood,” said I, encouraged by the affability of my rattling entertainer, «that less of this interest must attach to Scottish jurisprudence than to that of any other country. The general morality of our people, their sober and prudent habits” —

«Secure them,” said the barrister, «against any great increase of professional thieves and depredators, but not against wild and wayward starts of fancy and passion, producing crimes of an extraordinary description, which are precisely those to the detail of which we listen with thrilling interest. England has been much longer a highly civilized country; her subjects have been very strictly amenable to laws administered without fear or favour, a complete division of labour has taken place among her subjects, and the very thieves and robbers form a distinct class in society, subdivided among themselves according to the subject of their depredations, and the mode in which they carry them on, acting upon regular habits and principles, which can be cal-



culated and anticipated at Bow-Street, Hatton-Garden, or the Old-Bailey. Our sister kingdom is like a cultivated field, — the farmer expects that, in spite of all his care, a certain number of weeds will rise with the corn, and can tell you before hand their names and appearance. But Scotland is like one of her own Highland glens, and the moralist who reads the records of her criminal jurisprudence, will find as many curious anomalous facts in the history of mind, as the botanist will detect rare specimens among her dingles and cliffs.”

“And that’s all the good you have obtained from three perusals of the Commentaries on Scotch Criminal Jurisprudence?” said his companion. “I suppose the learned author very little thinks that the facts which his erudition and acuteness have accumulated for the illustration of legal doctrines, might be so arranged as to form a sort of appendix to the half-bound and slip-shod volumes of the circulating library.”

“I’ll bet you a pint of claret,” said the elder lawyer, “that he will not feel sore at the comparison. But as we say at the bar, ‘I beg I may not be interrupted;’ I have much more to say upon my Scottish collection of *Causes Celebres*. You will please to recollect the scope and motive given for the contrivance and execution of



many extraordinary and daring crimes, by the long civil dissensions of Scotland — by the hereditary jurisdictions, which, until 1748, vested the investigation of crimes in judges, ignorant, partial, or interested — by the habits of the gentry, shut up in their distant and solitary mansion-houses, nursing their revengeful passions just to keep their blood from stagnating — not to mention that amiable national qualification, called the *perfervidum ingenium Scotorum*, which our lawyers join in alleging as a reason for the severity of some of our enactments. When I come to treat of matters so mysterious, deep, and dangerous, as these circumstances have given rise to, the blood of each reader shall be curdled, and his epidermis crisped into goose skin. — But 'st — here comes the landlord, with tidings, I suppose, that the chaise is ready."

It was no such thing — the tidings bore, that no chaise could be had this evening, for Sir Peter Plyem had carried forward my landlord's two pair of horses that morning to the ancient royal borough of Bubbleburgh, to look after his interest there. But as Bubbleburgh is only one of a set of five boroughs which club their shares for a member of parliament, Sir Peter's adversary had judiciously watched his departure, in order to commence a canvass in the no less royal borough of Bitem, which, as all the world



knows, lies at the very termination of Sir Peter's avenue, and has been held in leading strings by him and his ancestors for time immemorial. Now Sir Peter was thus placed in the situation of an ambitious monarch, who, after having commenced a daring inroad into his enemies' territories, is suddenly recalled by an invasion of his own hereditary dominions. He was obliged in consequence to return from the half-won borough of Bubbleburgh, to look after the half-lost borough of Bitem, and the two pair of horses which had carried him that morning to Bubbleburgh, were now forcibly detained to transport him, his agent, his valet, his jester, and his hard-drinker, across the country to Bitem. The cause of this detention, which to me was of as little consequence as it may be to the reader, was important enough to my companions to reconcile them with the delay. Like eagles, they smelled the battle afar off, ordered a magnum of claret and beds at the Wallace, and entered at full career into the Bubbleburgh and Bitem politics, with all the probable "petitions and complaints" to which they were likely to give rise.

In the midst of an anxious, animated, and, to me, most unintelligible discussion concerning provosts, baillies, deacons, sets of boroughs, leets, town-clerks, burgesses resident and nor-



resident, all of a sudden the lawyer recollected himself, «Poor Dunover, we must not forget him;» and the landlord was dispatched in quest of the *pauvre honteux*, with an earnestly civil invitation to him for the rest of the evening. I could not help asking the young gentlemen if they knew the history of this poor man, and the counsellor applied himself to his pocket to recover the memorial or brief from which he had stated his cause.

«He has been a candidate for our *remedium miserabile*,» said Mr Hardie, «commonly called a *cessio bonorum*. As there are divines who have doubted the eternity of future punishments, so the Scotch lawyers seem to have thought that the crime of poverty might be atoned for by something short of perpetual imprisonment. After a month's confinement, you must know, he is entitled, on a sufficient statement to our supreme court, setting forth the amount of his funds, and the nature of his misfortunes, and surrendering all his effects to his creditors, to claim to be discharged from prison.»

«I had heard,» I replied, «of such a humane regulation.»

«Yes,» said Halkit, «and the beauty of it is, as the foreign fellow said, you may get the *cessio* when the *bonorums* are all spent—But what,



are you puzzling in your pockets to seek your only memorial among old play-bills, letters requesting a meeting of the Faculty, rules of the Speculative Society, syllabus' of lectures — all the miscellaneous contents of a young lawyer's pocket, which contains every thing but briefs and bank-notes? Can you not state a case of *cessio* without your memorial? Why it is done every Saturday. The events follow each other as regularly as clock-work, and one form of condescendence might suit every one of them."

"This is very unlike the variety of distress which this gentleman stated to fall under the consideration of your judges," said I.

"True," replied Halkit; "but Hardie spoke of criminal jurisprudence, and this business is purely civil. I could plead a *cessio* myself without the inspiring honours of a gown and three-tailed periwig — Listen. — My client was bred a journeyman weaver — made some little money — took a farm — (for conducting a farm, like driving a gig, comes by nature) — late severe times — induced to sign bills with a friend, for which he had no value — landlord sequesters — creditors accept a composition — pursuer sets up a public-house — fails a second time — is incarcerated for a debt of ten pounds, seven shillings and sixpence — his debts amount to blank



— his losses to blank — his funds to blank — leaving a balance of blank in his favour. There is no opposition; your lordships will please grant commission to take his oath.”

Hardie now renounced this ineffectual search, in which there was perhaps a little affectation, and told us the tale of poor Dunover's distresses, with a tone in which a degree of feeling, which he seemed ashamed of as unprofessional, mingled with his attempts at wit, and did him more honour. It was one of those tales which seem to argue a sort of ill luck or fatality attached to the hero. A well-informed, industrious, and blameless, but poor and bashful man, had in vain essayed all the usual means by which others acquire independence, yet had never succeeded beyond the attainment of bare subsistence. During a brief gleam of hope, rather than of actual prosperity, he had added a wife and family to his cares, but the dawn was speedily overcast. Every thing retrograded with him towards the verge of the miry Slough of Despond, which yawns for insolvent debtors; and after catching at each twig, and experiencing the protracted agony of feeling them one by one elude his grasp, he actually sunk into the miry pit whence he had been extricated by the professional exertions of Hardie.



“And, I suppose, now you have dragged this poor devil ashore, you will leave him half naked on the beach to provide for himself?” said Halkit. “Hark ye,” — and he whispered something in his ear, of which the penetrating and insinuating words, “Interest with my Lord,” alone reached mine.

“It is *pessimi exempli*,” said Hardie, laughing, “to provide for a ruined client; but I was thinking of what you mention, provided it can be managed — But hush! here he comes.”

The recent relation of the poor man's misfortunes had given him, I was pleased to observe, a claim to the attention and respect of the young men, who treated him with great civility, and gradually engaged him in a conversation, which, much to my satisfaction, again turned upon the *Causes Celebres* of Scotland. Emboldened by the kindness with which he was treated, Mr Dunover began to contribute his share to the amusement of the evening. Jails, like other places, have their ancient traditions, known only to the inhabitants, and handed down from one set of the melancholy lodgers to the next who occupy their cells. Some of these, which Dunover mentioned, were interesting, and served to illustrate the narratives of remarkable trials, which Hardie had at his finger-ends, and which his companion



was also well skilled in. This sort of conversation passed away the evening till the early hour when Mr Dunover chose to retire to rest, and I also retreated to take down memorandums of what I had learned, in order to add another narrative to those which it had been my chief amusement to collect, and to write out in detail. The two young men ordered a broiled bone. Madeira negus, and a pack of cards, and commenced a game at picquet.

Next morning the travellers left Gandercleugh. I afterwards learned from the papers that both have been since engaged in the great political cause of Bubbleburgh and Bitem, a summary case, and entitled to particular dispatch; but which, it is thought, nevertheless, may outlast the duration of the parliament to which the contest refers. Mr Halkit, as the newspapers informed me, acts as agent or solicitor; and Mr Hardie opened for Sir Peter Plyem with singular ability, and to such purpose, that I understand he has since had fewer play-bills and more briefs in his pocket. And both the young gentlemen deserve their good fortune; for I learned from Dunover, who called on me some weeks afterwards, and communicated the intelligence with tears in his eyes, that their interest had availed to obtain him a small office for the de-



cent maintenance of his family; and that, after a train of constant and uninterrupted misfortune, he could trace a dawn of prosperity to his having the good fortune to be flung from the top of a mail-coach into the river Gander, in company with an advocate and a writer to the signet. The reader will not perhaps deem himself equally obliged to the accident, since it brings upon him the following narrative, founded upon the conversation of the evening.



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 CHAPTER II.

*Whoe'er's been at Paris must needs know the  
Grève,*

*The fatal retreat of the unfortunate brave,  
Where honour and justice most oddly con-  
tribute,*

*To ease heroes' pains by an halter and gibbet.*

*There death breaks the shackles which force  
had put on,*

*And the hangman completes what the judge  
but began;*

*There the squire of the poet, and knight of  
the post.*

*Find their pains no more baulked, and their  
hopes no more cross'd.*

PRIOR.

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IN former times, England had her Tyburn, to which the devoted victims of justice were conducted in solemn procession up what is now cal-



led Oxford-Road. In Edinburgh, a large open street, or rather oblong square, surrounded by high houses, called the Grassmarket, was used for the same melancholy purpose. It was not ill chosen for such a scene, being of considerable extent, and therefore fit to accommodate a great number of spectators, such as are usually assembled by this melancholy spectacle. On the other hand, few of the houses which surround it were, even in early times, inhabited by persons of fashion; so that those likely to be offended or over deeply affected by such unpleasant exhibitions, were not in the way of having their quiet disturbed by them. The houses in the Grassmarket are, generally speaking, of a mean description; yet the place is not without some features of grandeur, being overhung by the southern side of the huge rock on which the castle stands, and by the moss-grown battlements and turretted walls of that ancient fortress.

It was the custom, until within these five-and-twenty years, or thereabouts, to use this esplanade for the scene of public executions. The fatal day was announced to the public, by the appearance of a huge black gallows-tree towards the eastern end of the Grassmarket. This ill-omened apparition was of great height, with a scaffold surrounding it, and a double ladder placed against it, for the ascent of the unhappy



criminal and the executioner. As this apparatus was always arranged before dawn, it seemed as if the gallows had grown out of the earth in the course of one night, like the production of some foul demon; and I well remember the fright with which the school boys, when I was one of their number, used to regard these ominous signs of deadly preparation. On the night after the execution the gallows again disappeared, and was conveyed in silence and darkness to the place where it was usually deposited, which was one of the vaults under the Parliament-house, or courts of justice. This mode of execution is now exchanged for one similar to that in front of Newgate, — with what beneficial effect is uncertain. The mental sufferings of the pannel are indeed shortened. He no longer walks between the attendant clergymen, dressed in his grave clothes, through a considerable part of the city, looking like a moving and walking corpse, while yet an inhabitant of this world, but, as the ultimate purpose of punishment has in view the prevention of crimes, it may at least be doubted, whether, in abridging the melancholy ceremony, we have not in part diminished that appalling effect upon the spectators which is the useful end of all such inflictions, and in consideration of which alone, unless in very particular cases, capital sentences can be altogether justified.



Upon the 7th day of September, 1736, these ominous preparations for execution were descried in the place we have described, and at an early hour the space around began to be occupied by several groupes, who gazed on the scaffold and gibbet with a stern and vindictive shew of satisfaction very seldom testified by the populace, whose good-nature, in most cases, forgets the crime of the condemned person, and dwells only on his misery. But the act of which the expected culprit had been convicted was of a description calculated nearly and closely to awaken and irritate the resentful feelings of the multitude. The tale is well known; yet it is necessary to recapitulate its leading circumstances, for the better understanding what is to follow; and the narrative may prove long, but I trust not uninteresting, even to those who have heard its general issue. At any rate, some detail is necessary, in order to render intelligible the subsequent events of our narrative.

Contraband trade, though it strikes at the root of legitimate government, by encroaching on its revenues, — though it injures the fair trader, and debauches the minds of those engaged with it, — is not usually looked upon, either by the vulgar or by their betters, in a very heinous point of view. On the contrary, in those countries where it prevails, the cleverest, boldest,



and most intelligent of the peasantry, are uniformly engaged in illicit transactions, and very often with the sanction of the farmers and inferior gentry. Smuggling was almost universal in Scotland in the reigns of George I and II.; for the people, unaccustomed to imposts, and regarding them as an unjust aggression upon their ancient liberties, made no scruple to elude them whenever it was possible to do so.

The county of Fife, bounded by two friths on the south and north, and by the sea on the east, and having a number of small sea-ports, was long famed for maintaining successfully a contraband trade, and, as there were many seafaring men residing there, who had been pirates and buccaneers in their youth, there were not wanting a sufficient number of daring men to carry it on. Among these, a fellow, called Andrew Wilson, originally a baker in the village of Pathhead, was particularly obnoxious to the revenue officers. He was possessed of great personal strength, courage, and cunning, — was perfectly acquainted with the coast, and capable of conducting the most desperate enterprises. On several occasions he succeeded in baffling the pursuit and researches of the king's officers; but he became so much the object of their suspicious and watchful attention, that at length he was totally ruined by repeated seizures. The man



became desperate. He considered himself as robbed and plundered; and took it into his head, that he had a right to make reprisals, as he could find opportunity. Where the heart is prepared for evil, opportunity is seldom long wanting. This Wilson learned, that the Collector of the Customs at Kirkaldy had come to Pittenweem, in the course of his official round of duty, with a considerable sum of public money in his custody. As the amount was greatly within the value of the goods which had been seized from him, he felt no scruple of conscience in resolving to reimburse himself for his losses, at the expence of the Collector and the revenue. He associated with himself one Robertson, and other two idle young men, whom, having been concerned in the same illicit trade, he persuaded to view the transaction in the same justifiable light in which he himself considered it. They watched the motions of the Collector; they broke forcibly into the house where he lodged, — Wilson, with two of his associates, entering the Collector's apartment, while Robertson, the fourth, kept watch at the door with a drawn cutlass in his hand. The officer of the customs, conceiving his life in danger, escaped out of his bed-room window, and fled in his shirt, so that the plunderers, with much ease, possessed themselves of about two hundred pounds of public money.



This robbery was committed in a very audacious manner, for several persons were passing in the street at the time. But Robertson, representing the noise they heard as a dispute or fray betwixt the Collector and the people of the house, the worthy citizens of Pittenweem felt themselves no way called on to interfere in behalf of the obnoxious revenue officer; so, satisfying themselves with this very superficial account of the matter, like the Levite in the parable, they passed on the opposite side of the way. An alarm was at length given, military were called in, the depredators were pursued, the booty recovered, and Wilson and Robertson tried and condemned to death, chiefly on the evidence of an accomplice.

Many thought, that, in consideration of the men's erroneous opinion of the nature of the action they had committed, justice might have been satisfied with a less forfeiture than that of two lives. On the other hand, from the audacity of the fact, a severe example was judged necessary, and such was the opinion of the government. When it became apparent that the sentence of death was to be executed, files, and other implements necessary for their escape, were transmitted secretly to the culprits by a friend from without. By these means they sawed a bar out of one of the prison-windows, and might have



made their escape, but for the obstinacy of Wilson, who, as he was daringly resolute, was doggedly pertinacious of his opinion. His comrade, Robertson, a young and slender man, proposed to make the experiment of passing the foremost through the gap they had made, and enlarging it from the outside, if necessary, to allow Wilson free passage. Wilson, however, insisted on making the first experiment, and being a robust and lusty man, he not only found it impossible to get through betwixt the bars, but, by his struggles, he jammed himself so fast, that he was unable to draw his body back again. In these circumstances discovery became unavoidable, and sufficient precautions were taken by the jailor to prevent any repetition of the same attempt. Robertson uttered not a word of reflection on his companion for the consequences of his obstinacy; but it appeared from the sequel, that Wilson's mind was deeply impressed with the recollection, that, but for him, his comrade, over whose mind he exercised considerable influence, would not have engaged in the criminal enterprise which had terminated thus fatally; and that now he had become his destroyer a second time, since, but for his obstinacy, Robertson might have effected his escape. Minds like Wilson's, even when exercised in evil practices, sometimes retain the power of thinking and re-



solving with enthusiastic generosity. His whole mind was now bent on the possibility of saving Robertson's life, without the least respect to his own. The resolution which he adopted, and the manner in which he carried it into effect, were striking and unusual.

Adjacent to the tolbooth or city gaol of Edinburgh, is one of three churches into which the cathedral of St Giles is now divided, called, from its vicinity, the Tolbooth Church. It was the custom, that criminals under sentence of death were brought to this Church, with a sufficient guard, to hear and join in public worship on the Sabbath before execution. It was supposed that the hearts of these unfortunate persons, however hardened before against feelings of devotion, could not but be accessible to them upon uniting their thoughts and voices, for the last time, along with their fellow-mortals, in addressing their Creator. And to the rest of the congregation, it was thought it could not but be impressive and affecting, to find their devotions mingling with those, who, sent by the doom of an earthly tribunal to appear where the whole earth is judged, might be considered as beings trembling on the verge of eternity. The practice, however edifying, has been discontinued since the incident we are about to detail.

The clergyman, whose duty it was to officiate



in the Tolbooth Church, had concluded an affecting discourse, part of which was particularly directed to the unfortunate men, Wilson and Robertson, who were in the pew set apart for the persons in their unhappy situation, each secured betwixt two soldiers of the city guard. The clergyman had reminded them, that the next congregation they must join would be that of the just, or of the unjust: that the psalms they now heard must be exchanged, in the space of two brief days, for eternal hallelujahs, or eternal lamentations; and that this fearful alternative must depend upon the state to which they might be able to bring their minds before the moment of awful preparation: that they should not despair on account of the suddenness of the summons, but rather to feel this comfort in their misery, that, though all who now lifted the voice, or bent the knee in conjunction with them, lay under the same sentence of certain death, they only had the advantage of knowing the precise moment at which it should be executed upon them. "Therefore," urged the good man, his voice trembling with emotion, "redeem the time, my unhappy brethren, which is yet left, and remember, that, with the grace of Him to whom space and time are but as nothing, salvation may yet be assured, even in the pittance of delay which the laws of your country afford you."



Robertson was observed to weep at these words; but Wilson seemed as one whose brain had not entirely received their meaning, or whose thoughts were deeply impressed with some different subject; — an expression so natural to a person in his situation, that it excited neither suspicion nor surprise.

The benediction was pronounced as usual, and the congregation was dismissed, many lingering to indulge their curiosity with a more fixed look at the two criminals, who now, as well as their guards, rose up, as if to depart when the crowd should permit them. A murmur of compassion was heard to pervade the spectators, the more general, perhaps, on account of the alleviating circumstances of the case; when all at once, Wilson, who, we have noticed, was a very strong man, seized two of the soldiers, one with each hand, and calling at the same time to his companion, «Run, Geordie, run!» threw himself on a third, and fastened his teeth on the collar of his coat. Robertson stood for a second as if thunderstruck, and unable to avail himself of the opportunity of escape; but the cry of «Run, run,» being echoed from many around, whose feelings surprised them into a very natural interest in his behalf, he shook off the grasp of the remaining soldier, threw himself over the pew, mixed with the dispersing congregation,



none of whom felt inclined to stop a poor wretch taking this last chance for his life, gained the door of the church, and was lost to all pursuit.

The generous intrepidity which Wilson had displayed on this occasion augmented the feeling of compassion which attended his fate. The public, where their own prejudices are not concerned, are easily engaged on the side of disinterestedness and humanity, admired Wilson's behaviour, and rejoiced in Robertson's escape. This general feeling was so great, that it excited a vague report that Wilson would be rescued at the place of execution, either by the mob or by some of his old associates, or by some second extraordinary and unexpected exertion of strength and courage on his own part. The magistrates thought it their duty to provide against the possibility of disturbance. They ordered out, for protection of the execution of the sentence, the greater part of their own City Guard, under the command of Captain Porteous, a man whose name became too memorable from the melancholy circumstances of the day, and subsequent events. It may be necessary to say a word about this person, and the corps which he commanded. But the subject is of importance sufficient to deserve another chapter.

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### CHAPTER III.

*And thou, great god of aqua-vitae!  
Wha sways the empire of this city,  
(When fou we're sometimes capernoity,)  
Be thou prepared,  
To save us frae that black banditti,  
The City Guard!*

#### *FERGUSON's Daft Days.*

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CAPTAIN JOHN PORTEOUS, a name memorable in the traditions of Edinburgh, as well as in the records of criminal jurisprudence, was the son of a citizen of Edinburgh, who endeavoured to breed him up to his own mechanical trade. The youth, however, had a wild and irreclaimable propensity to dissipation, which finally sent him to serve in the corps long maintained in the service of the States of Holland, and called the



Scotch-Dutch. Here he learned military discipline! and, returning afterwards, in the course of an idle and wandering life, to his native city, his services were required by the magistrates of Edinburgh in the disturbed year 1715, for disciplining their City Guard, in which he shortly afterwards received a captain's commission. It was only by his military skill, and an alert and resolute character, that he merited this promotion, for he is said to have been a man of profligate habits, an unnatural son, and a brutal husband. He was, however, useful in his station, and his harsh and fierce habits rendered him formidable to rioters or disturbers of the public peace.

The corps in which he held his command is, or perhaps we should rather say *was*, a body of about one hundred and twenty soldiers, divided into three companies, and regularly armed, clothed, and embodied. It was chiefly veterans who enlisted in this corps, having the benefit of working at their trades when they were off duty. These men had the charge of preserving public order, repressing riots and street robberies, and attending on all public occasions where confusion or popular disturbance might be expected. Poor Ferguson, whose irregularities sometimes led him into unpleasant rencontres with these military conservators of public order, and who



mentions them so often that he may be termed their poet laureate, thus admonishes his readers, warned doubtless by his own experience:

“Gude folk, as ye come frae the fair,  
Bide yont frae this black squad;  
There’s nae sic savages elsewhere  
Allowed to wear cockad.”

In fact, the soldiers of the City Guard, being, as we have said, in general discharged veterans, who had strength enough remaining for this municipal duty, and being, moreover, in general Highlanders, were neither by birth, education, or former habits, trained to endure with much patience the insults of the rabble, or the provoking petulance of truant schoolboys, and idle debauchees of all descriptions, with whom their occupation brought them into contact. On the contrary, the tempers of the poor old fellows were soured by the indignities with which the mob distinguished them on many occasions, and frequently might have required the soothing strains of the poet we have just quoted —

“O soldiers! for your ain dear sakes,  
For Scotland’s love, the Land o’ Cakes,  
Gie not her bairns sic deadly paiks,  
Nor be sae rude,  
Wi’ firelock or Lochaber axe.  
As spill their bluid!”



On all occasions when holiday licenses some riot and irregularity, a skirmish with these veterans was a favourite recreation with the rabble of Edinburgh. These pages may perhaps see the light when many have in fresh recollection such onsets as we allude to. But the venerable corps, with whom the contention was held, may now be considered as totally extinct. Of late the gradual diminution of these civic soldiers reminds one of the abatement of King Lear's hundred knights. The edicts of each succeeding set of magistrates have, like those of Goneril and Regan, diminished this venerable band with the similar question, "What need we five-and-twenty? — ten? — or five?" And it is now nearly come to, "What need one?" A spectre may indeed here and there still be seen of an old grey-headed and grey-bearded Highlander, with war-worn features, but bent double by age; dressed in an old-fashioned cocked hat, bound with white tape instead of silver lace; and in coat, waistcoat, and breeches of a muddy-coloured red, bearing in his withered hand an ancient weapon, called a Lochaber-axe, a long pole, namely, with an axe at the extremity, and a hook at the back of the hatchet. Such a phantom of former days still creeps, I have been informed, round the statue of Charles the Second, in the Parliament Square, as if the image of a



Stuart were the last refuge for any memorial of our ancient manners and one or two others are supposed to glide around the door of the guard-house assigned to them in the Luckenbooths, when their ancient refuge in the High Street was laid low. But the fate of manuscripts bequeathed to friends and executors is so uncertain that the narrative containing these frail memorials of the old Town-Guard of Edinburgh, who, with their grim and valiant corporal, John Dhu, (the fiercest looking fellow I ever saw,) were in my boyhood, the alternate terror and derision of the petulant brood of the High School, may perhaps only come to light when all memory of the institution has faded away, and then serve as an illustration of Kay's caricatures, who has preserved the features of some of their heroes. In the preceding generation, when there was a perpetual alarm for the plots and activity of the Jacobites, some pains was taken by the magistrates of Edinburgh to keep this corps, though composed always of such materials as we have noticed, in a more effective state than was afterwards judged necessary, when their most dangerous service was to skirmish with the rabble on the king's birth-day. They were, therefore, more the objects of hatred, and less that of scorn, than they were afterwards accounted.

To Captain John Porteous, the honour of his  
 LII. D



command and of his corps seems to have been a matter of high interest and importance. He was exceedingly incensed against Wilson for the affront which he construed him to have put upon his soldiers, in the effort he made for the liberation of his companion, and expressed himself most ardently on the subject. He was no less indignant at the report, that there was an intention to rescue Wilson himself from the gallows, and uttered many threats and imprecations upon that subject, which were afterwards remembered to his disadvantage. In fact, if a good deal of determination and promptitude rendered Porteous, in one respect, fit to command guards designed to suppress popular commotion, he seems, on the other, to have been disqualified for a charge so delicate, by a hot and surly temper, always too ready to come to blows and violence; a character void of principle; and a disposition to regard the rabble, who seldom failed to regale him and his soldiers with some marks of their displeasure, as declared enemies, upon whom it was natural and justifiable that he should seek opportunities of vengeance. Being, however, the most active and trust-worthy among the captains of the City Guard, he was the person to whom the magistrates entrusted the command of the soldiers appointed to keep the peace at the time of Wilson's execution. He was ordered to guard



the gallows and scaffold, with about eighty men, all the disposable force that could be spared for that duty.

But the magistrates took farther precautions, which affected Porteous's pride very deeply. They requested the assistance of part of a regular infantry regiment, not to attend upon the execution, but to remain drawn up upon the principal street of the city, during the time that it went forward, in order to intimidate the multitude, in case they should be disposed to be unruly, with a display of force which could not be resisted without desperation. It may sound ridiculous in our ears, considering the fallen state of this ancient civic corps, that its officer should have felt punctiliously jealous of its honour. Yet so it was. Captain Porteous resented, as an indignity, the fetching the Welsh Fusileers within the city, and into a street where no drums but his own were allowed to be struck, without the special command or permission of the magistrates. As he could not show his ill humour to his patrons the magistrates, it increased his indignation and his desire to be revenged on the unfortunate criminal Wilson, and all who favoured him. These internal emotions of jealousy and rage wrought a change on the man's mien and bearing, visible to all who saw him on the fatal morning when Wilson was appointed to



suffer. Porteous's ordinary appearance was rather favourable. He was about the middle size, stout, and well made, having a military air, and yet rather a gentle and mild countenance. His complexion was brown, his face somewhat fretted with the scars of the small-pox, his eyes rather languid than keen or fierce. On the present occasion, however, it seemed to those who saw him as if he were agitated by some evil demon. His step was irregular, his voice hollow and broken, his countenance pale, his eyes staring and wild, his speech imperfect and confused, and his whole appearance so disordered, that many remarked he seemed to be *fey*, a Scottish expression, meaning the state of those who are driven on to their impending fate by the strong impulse of some irresistible necessity.

One part of his conduct was truly diabolical, if, indeed, it has not been exaggerated by the general prejudice entertained against his memory. When Wilson, the unhappy criminal, was delivered to him by the keeper of the prison, in order that he might be conducted to the place of execution, Porteous, not satisfied with the usual precautions to prevent escape, ordered him to be manacled. This might be justifiable from the character and bodily strength of the malefactor, as well as from the apprehensions so generally entertained of an expected rescue. But the hand-



cuffs which were produced being found too small for the wrists of a man so big-boned as Wilson, Porteous proceeded with his own hands, and by great exertion of strength, to force them till they clasped together, to the exquisite torture of the unhappy criminal. Wilson remonstrated against such barbarous usage, declaring that the pain distracted his thoughts from the subjects of meditation proper to his unhappy condition.

“It signifies little,” replied Captain Porteous; your pain will be soon at an end.”

“Your cruelty is great,” answered the sufferer. “You know not how soon you yourself may have occasion to ask the mercy, which you are now refusing to a fellow creature. May God forgive you.”

These words, long afterwards quoted and remembered, were all that passed between Porteous and his prisoner; but as they took air, and became known to the people, they greatly increased the popular compassion for Wilson, and excited a proportionate degree of indignation against Porteous; against whom, as strict, and even violent in the discharge of his unpopular office, the common people had some real, and many imaginary causes of complaint.

When the painful procession was completed, and Wilson, with the escort, had arrived at the scaffold in the Grassmarket, there appeared no



signs of that attempt to rescue him which had occasioned such precautions. The multitude in general, looked on with deeper interest than at ordinary executions; and there might be seen, on the countenances of many, a stern and indignant expression, like that with which the ancient Cameronians might be supposed to witness the execution of their brethren, who glorified the covenant upon the same occasion, and at the same spot. But there was no attempt at violence. Wilson himself seemed disposed to hasten over the space that divided time from eternity. The devotions proper and usual on such occasions were no sooner finished than he submitted to his fate, and the sentence of the law was executed.

He had been suspended on the gibbet so long as to be totally deprived of life, when at once, as if occasioned by some newly-received impulse, there arose a tumult among the multitude. Many stones were thrown at Porteous and his guards; some mischief was done; and the mob continued to press forward with whoops, shrieks, howls, and exclamations. A young fellow, with a sailor's cap slouched over his face, sprung on the scaffold, and cut the rope by which the criminal was suspended. Others approached to carry off the body, either to secure for it a decent grave, or to try, perhaps, some means of resuscitation. Captain



Porteous was wrought, by this appearance of insurrection against his authority, into a rage so headlong as made him forget, that, the sentence having been fully executed, it was his duty not to engage in hostilities with the misguided multitude, but to draw off his men as fast as possible. He sprung from the scaffold, snatched a musket from one of his soldiers, commanded the party to give fire, and, as several eye-witnesses concurred in swearing, set them the example, by discharging his piece, and shooting a man dead on the spot. Several soldiers obeyed his command or followed his example; six or seven people were slain, and a great many were hurt and wounded.

After this act of violence, the Captain proceeded to withdraw his men towards their guard-house in the High Street. The mob were not so much intimidated as incensed by what had been done. They pursued the soldiers with execrations, accompanied by volleys of stones. As they pressed on them, the rear-most soldiers turned, and again fired with fatal aim and execution. It is not accurately known whether Porteous commanded this second act of violence; but of course the odium of the whole transactions of the fatal day attached to him, and to him alone. He arrived at the guard-house, dismissed his soldiers, and



went to make his report to the magistrates concerning the unfortunate events of the day.

Apparently by this time Captain Porteous had begun to doubt the propriety of his own conduct, and the reception he met with from the magistrates was such as to make him still more anxious to gloss it over. He denied that he had given orders to fire; he denied he had fired with his own hand; he even produced the fusee which he carried as an officer for examination; it was found still loaded. Of three cartridges which he was seen to put in his pouch that morning, two were still there; a white handkerchief was thrust into the muzzle of the piece, and returned unsoiled or blackened. To this it was answered, that he had not used his own piece, but had been seen to take one from a soldier. Among the many who had been killed and wounded by the unhappy fire, there were several of better rank, for even the humanity of such soldiers as fired over the heads of the mere rabble around the scaffold, proved in some instances fatal to persons who were stationed in windows, or observed the melancholy scene from a distance. The voice of public indignation was loud and general; and, ere men's temper had time to cool, the trial of Captain Porteous took place before the High Court of Justiciary. After a long and patient hearing, the jury had the difficult duty of



balancing the positive evidence of many persons, and those of respectability, who deposed positively to the prisoner's commanding his soldiers to fire, and himself firing his piece, of which some swore that they saw the smoke and flash, and beheld a man drop at whom it was pointed, with the negative testimony of others, who, though well stationed for seeing what had passed, neither heard Porteous give orders to fire, nor saw him fire himself; but, on the contrary, averred that the first shot was fired by a soldier who stood close by him. A great part of his defence was also founded on the turbulence of the mob, which witnesses, according to their feelings, their predilections, and their opportunities of observation, represented differently; some describing as a formidable riot, what others represented as a trifling disturbance, such as always used to take place on the like occasions, when the executioner of the law, and the men commissioned to protect him in his task, were generally exposed to some indignities. The verdict of the jury sufficiently shews how the evidence preponderated in their minds. It declared that John Porteous fired a gun among the people assembled at the execution; that he gave orders to his soldiers to fire, by which many persons were killed and wounded; but, at the same time, that the prisoner and his guard had been wounded and beaten, by stones



thrown at them by the multitude. Upon this verdict, the Lords of Justiciary passed sentence of death against Captain John Porteous, adjudging him, in the common form, to be hanged on a gibbet at the common place of execution, on Wednesday, 8th September, 1736, and all his moveable property to be forfeited to the king's use, according to the Scottish law in cases of wilful murder.



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## CHAPTER IV.

*«The hour's come, but not the man.»*

*Kelpie.*

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ON the day when the unhappy Porteous was expected to suffer the sentence of the law, the place of execution, extensive as it is, was crowded almost to suffocation. There was not a window in all the lofty tenements around it, or in the steep and crooked street called the Bow, by which the fatal procession was to descend from the High Street, which was not absolutely filled with spectators. The uncommon height and antique appearance of these houses, some of which were formerly the property of the Knights Templars, and the Knights of St John, and still exhibit on their fronts and gables the iron cross of these orders, gave additional effect to a scene in itself so striking. The area of the Grassmarket



resembled a huge dark lake or sea of human heads, in the centre of which arose the fatal tree, tall, black, and ominous, from which dangled the deadly halter. Every object takes interest from its uses and associations, and the erect beam and empty noose, things so simple in themselves, became objects, on such an occasion, of terror and of solemn interest.

Amid so numerous an assembly there was scarce a word spoken, save in whispers. The thirst of vengeance was in some degree allayed by its supposed certainty; and even the populace, with deeper feeling than they are wont to entertain, suppressed all clamorous exultation, and prepared to enjoy the scene of retaliation in triumph, silent and decent, though stern and relentless. It seemed as if the depth of their hatred to the unfortunate criminal despised to display itself in any thing resembling the more noisy current of their ordinary feelings. Had a stranger consulted only the evidence of his ears, he might have supposed that so vast a multitude were assembled for some purpose which affected them with the deepest sorrow, and stilled those noises which, upon all ordinary occasions, arise from such a concourse; but if he gazed upon their faces, he would have been instantly undeceived. The compressed lip, the bent brow, the stern and flashing eye of almost every one on



whom he gazed, conveyed the expression of men come to glut their sight with triumphant revenge. It is probable that the appearance of the criminal might have somewhat changed the temper of the populace in his favour, and that they might in the moment of death have forgiven the man against whom their resentment had been so fiercely heated. It had, however, been destined, that the mutability of their sentiments was not to be exposed to this trial.

The usual hour for producing the criminal had been past for many minutes, yet the spectators observed no symptom of his appearance. "Would they venture to defraud public justice?" was the question which men began anxiously to ask at each other. The first answer in every case was bold and positive. "They dare not." But when the point was farther canvassed, other opinions were entertained, and various causes of doubt were suggested. Porteous had been a favourite officer of the magistracy of the city, which, being a numerous and fluctuating body, requires for its support a degree of energy in its functionaries, which the individuals who compose it cannot at all times alike be supposed to possess in their own persons. It was remembered, that in the Information for Porteous, (the paper, namely, in which his case was stated to the judges of the criminal court,) he had been described by his counsel as the per-



son on whom the magistrates chiefly relied in all emergencies of uncommon difficulty. It was argued, too, that his conduct, upon the unhappy occasion of Wilson's execution, was capable of being attributed to an imprudent excess of zeal in the execution of his duty, a motive for which those under whose authority he acted might be supposed to have great sympathy. And as these considerations might move the magistrates to make a favourable representation of Porteous's case, there were not wanting others in the higher departments of government, which would make such suggestions favourably listened to.

The mob of Edinburgh, when thoroughly excited, had been at all times one of the fiercest which could be found in Europe; and of late years they had risen repeatedly against the government, and sometimes not without success. They were conscious, therefore, that they were no favourites with the rulers of the period, and that, if Captain Porteous's violence was not altogether regarded as good service, it might certainly be thought, that to visit it with a capital punishment would render it both delicate and dangerous for future officers, in the same circumstances, to act with effect in repressing tumults. There is also a natural feeling, on the part of all members of government, for the general maintenance of authority; and it seemed not unlikely, that



what to the relatives of the sufferers appeared a wanton and unprovoked massacre, should be otherwise viewed in the cabinet of St James's. It might be there supposed, that, upon the whole matter, Captain Porteous was in the exercise of a trust delegated to him by the lawful civil authority; that he had been assaulted by the populace, and several of his men hurt; and that, in finally repelling force by force, his conduct could be fairly imputed to no other motive than self-defence in the discharge, of his duty.

These considerations, of themselves very powerful, induced the spectators to apprehend the possibility of a reprieve; and to the various causes which might interest the rulers in his favour, the lower part of the rabble added one which was peculiarly well adapted to their comprehension. It was averred, in order to increase the odium against Porteous, that while he repressed with the utmost severity the slightest excesses of the poor, he not only overlooked the licence of the young nobles and gentry, but was very willing to lend them the countenance of his official authority, in execution of such loose pranks as it was chiefly his duty to have restrained. This suspicion, which was perhaps much exaggerated, made a deep impression on the minds of the populace; and when several of the higher rank joined in a petition, recommending Porteous



to the mercy of the crown, it was generally supposed he owed their favour not to any conviction of the hardship of his case, but to the fear of losing a convenient accomplice in their debaucheries. It is scarce necessary to say how much this suspicion augmented the people's detestation of this obnoxious criminal, as well as their fear of his escaping the sentence pronounced against him.

While these arguments were stated and replied to, and canvassed and supported, the hitherto silent expectation of the people became changed into that deep and agitating murmur, which is sent forth by the ocean before the tempest begins to howl. The crowded populace, as if the motions had corresponded with the unsettled state of their minds, fluctuated to and fro without any visible cause of impulse, like the agitation of the waters, called by sailors the ground-swell. The news, which the magistrates had almost hesitated to communicate to them, were at length announced, and spread among the spectators with a rapidity like lightning. A reprieve from the Secretary of State's office, under the hand of his Grace the Duke of Newcastle, had arrived, intimating the pleasure of Queen Caroline, (regent of the kingdom during the absence of George II. on the continent,) that the execution of the sentence of death pronounced



against John Porteous, late Captain-lieutenant of the City Guard of Edinburgh, present prisoner in the tolbooth of that city, be respited for six weeks from the time appointed for his execution.

The assembled spectators of almost all degrees, whose minds had been wound up to the pitch which we have described, uttered a groan, or rather a roar of indignation and disappointed revenge, similar to that of a tyger from whom his meal has been rent by his keeper when he was just about to devour it. This fierce exclamation seemed to forebode some immediate explosion of popular resentment, and, in fact, such had been expected by the magistrates, and the necessary measures had been taken to repress it. But the shout was not repeated, nor did any sudden tumult ensue, such as it seemed to announce. The populace seemed to be ashamed of having expressed their disappointment in a vain clamour, and the sound changed, not into the silence which had preceded the arrival of these stunning news, but into stifled mutterings, which each groupe maintained among themselves, and which were blended into one deep and hoarse murmur which floated above the assembly. Yest still, though all expectation of the execution was over, the mob remained assembled, stationary, as it were, through very resentment, gazing on the



preparations for death, which had now been made in vain, and stimulating their feelings, by recalling the various claims which Wilson might have had on royal mercy, from the mistaken motives on which he acted, as well as from the generosity he had displayed towards his accomplice. "This man," they said, — "the brave, the resolute, the generous, was executed to death, without mercy for stealing a purse of gold, which in some sense he might consider as a fair reprisal; while the profligate satellite, who took advantage of a trifling tumult, inseparable from such occasion, to shed the blood of twenty of his fellow-citizens, is deemed a fitting object for the exercise of the royal prerogative of mercy. Is this to be borne? — would our fathers have borne it? Are not we, like them, Scotsmen and burghers of Edinburgh?"

The officers of justice began now to remove the scaffold, and other preparations which had been made for the execution, in hopes, by doing so, to accelerate the dispersion of the multitude. The measure had the desired effect; for no sooner had the fatal tree been unfixed from the large stone pedestal or socket in which it was secured, and sunk slowly down upon the wain intended to remove it to the place where it was usually deposited, than the populace, after giving vent to their feelings in a second shout of rage and



mortification, began slowly to disperse to their usual abodes and occupations.

The windows were in like manner gradually deserted, and groupes of the more decent class of citizens formed themselves, as if waiting to return homewards when the streets should be cleared of the rabble. Contrary to what is frequently the case, this description of persons agreed in general with the sentiments of their inferiors, and considered the cause as common to all ranks. Indeed, as we have already noticed, it was by no means amongst the lowest class of the spectators, or those most likely to be engaged in the riot at Wilson's execution, that the fatal fire of Porteous's soldiers had taken effect. Several persons were killed who were looking out at windows at the scene, who could not of course belong to the rioters, and were persons of decent rank and condition. The burghers, therefore, resenting the loss which had fallen on their own body, and proud and tenacious of their rights, as the citizens of Edinburgh have at all times been, were greatly exasperated at the unexpected respite of Captain Porteous.

It was noticed at the time, and afterwards more particularly remembered, that, while the mob were in the act of dispersing, several individuals were seen busily passing from one place and one groupe of people to another, remaining



long with none, but whispering for a little time with those who appeared to be declaiming most violently against the conduct of government. These active agents had the appearance of men from the country, and were generally supposed to be old friends and confederates of Wilson, whose minds were of course highly excited against Porteous.

If, however, it was the intention of these men to stir the multitude to any sudden act of mutiny, it seemed for the time to be fruitless. The rabble, as well as the more decent part of the assembly, dispersed, and went home peaceably; and it was only by observing the moody discontent on their brows, or catching the tenor of the conversation they held with each other, that a stranger could estimate the state of their minds. We will give the reader this advantage, by associating ourselves with one of the numerous groupes who were painfully ascending the steep declivity of the West Bow to return to their dwellings in the Lawnmarket.

«An unco thing this, Mrs Howden,” said old Peter Plumdamas to his neighbour the rousing-wife, or saleswoman, as he offered her his arm to assist her in the toilsome ascent, «to see the grit folk at Lunnon set their face against law and gospel, and let loose sic a reprobate as Porteous upon a peaceable town.”



“And to think o’ the weary walk they hae gi’en us,” answered Mrs Howden, with a groan “and sic a comfortable window as I had gotten, too, just within a penny-stane-cast of the scaffold — I could hae heard every word the minister said — and to pay twalpennies for my stand, and a’ for naething!”

“I am judging,” said Mr Plumdamas, “that this reprieve wadna stand gude in the auld Scots law, when the kingdom was a kingdom.”

“I dinna ken muckle about the law,” answered Mrs Howden; “but I ken, when we had a king, and a chancellor, and parliamentmen o’ our ain, we could aye peeble them wi’ stanes when they were na gude bairns — But naeboddy’s nails can reach the length o’ Lunnon.”

“Weary on Lunnon, and a’ that e’er came out o’t!” said Miss Grizell Damahoy, an ancient seamstress; “they hae ta’en awa’ our parliament, and they hae oppressed our trade. Our gentles will hardly allow that a Scots needle can sew ruffles on a sark, or lace on an owerlay.”

“Ye may say that — Miss Damahoy, and I ken o’ them that hae gotten raisins frae Lunnon by forpits at ance,” responded Plumdamas; “and then sic an host of idle English guagers ane excisemen as hae come down to vex and torment us, that an honest man canna fetch sae muckle as a bit anker o’ brandy frae Leith to the Lawn-



market, but he's like to be rubbit o' the very gudes he's bought and paid for. — Weel, I winna justify Andrew Wilson for pitting hands on what wasna his; but if he took nae mair than his ain, there's an awfu' difference between that and the fact this man stands for."

"If ye speak about the law," said Mrs Howden, "here comes Mr Saddletree, that can settle it as weel as ony on the bench."

The party she mentioned, a grave elderly person, with a superb periwig, dressed in a decent suit of sad-coloured clothes, came up as she spoke, and courteously gave his arm to Miss Grizzell Damahoy.

"It may be necessary to mention, that Mr Bartoline Saddletree kept an excellent and highly-esteemed shop for harness, saddles, etc.etc. at the sign of the Golden Nag, at the head of Bess-Wynd. His genius, however, (as he himself and most of his neighbours conceived,) lay towards the weightier matters of the law, and he failed not to give frequent attendance upon the pleadings and arguments of the lawyers and judges in the neighbouring square, where, to say the truth, he was oftener to be found than would have consisted with his own emolument but that his wife, an active pains-taking person, could, in his absence, make an admirable shift to please the customers and scold the journeymen. This



good lady was in the habit of letting her husband take his way, and go on improving his stock of legal knowledge without interruption, but, as if in requital, she insisted upon having her own will in the domestic and commercial departments which he abandoned to her. Now, as Bartoline Saddletree had a considerable gift of words, which he mistook for eloquence, and conferred more liberally upon the society in which he lived than was at all times gracious and acceptable, there went forth a saying, with which wags used sometimes to interrupt his rhetoric, that, as he had a golden nag at his door, so he had a grey mare in his shop. This reproach induced Mr Saddletree, upon all occasions, to assume rather a haughty and stately tone towards his good woman, a circumstance by which she seemed very little affected, unless when he attempted to exercise any real authority, when she never failed to fly into open rebellion. But such extremes Bartoline seldom provoked; for, like the gentle King Jamie, he was fonder of talking of authority than really exercising it. This turn of mind was, on the whole, lucky for him; since his substance was increased without any trouble on his part, or any interruption of his favourite studies.

This word in explanation has been thrown in to the reader, while Saddletree was laying



down, with great precision, the law upon Porteous's case, by which he arrived at this conclusion, that, if Porteous had fired five minutes sooner, before Wilson was cut down, he would have been *versans in licito*, engaged, that is, in a lawful act, and only liable to be punished *propter excessum*, or for lack of discretion, which might have mitigated the punishment to *poena ordinaria*.

«Discretion!» echoed Mrs Howden, on whom it may well be supposed the fineness of this distinction was entirely thrown away, — «whan had Jock Porteous either grace, discretion, or gude manners? — I mind when his father» —

«But, Mrs Howden,” said Saddletree —

«And I,” said Miss Damahoy, «mind when his mother» —

«Miss Damahoy,” entreated the interrupted orator —

«And I,” said Plumdamas, «mind when his wife» —

«Mr Plumdamas — Mrs Howden — Miss Damahoy,” again implored the orator, — «mind the distinction, as Counsellor Crossmyloof says — ,I,’ says he, ,take a distinction.’ Now, the body of the criminal being cut down, and the execution ended, Porteous was no longer official; the act which he came to protect and guard



being done and ended, he was no better than *cuius ex populo*."

"*Quivis — quivis*, Mr Saddletree, craving your pardon," said (with a prolonged emphasis on the first syllable) Mr Butler, the deputy schoolmaster of a parish near Edinburgh, who at that moment came up behind them as the false Latin was uttered.

"What signifies interrupting me, Mr Butler? — but I am glad to see ye notwithstanding — I speak after Counsellor Crossmyloof, and he said *cuius*."

"If Counsellor Crossmyloof used the dative for the nominative, I would have crossed *his* loof with a tight leathern strap, Mr Saddletree; there is not a boy on the booby form but should have been scourged for such a solecism in grammar."

"I speak Latin like a lawyer, Mr Butler, and not like a schoolmaster," retorted Saddletree.

"Scarce like a school-boy, I think," rejoined Butler.

"It matters little," said Bartoline; "all I mean to say is, that Porteous has become liable to the *poena extra ordinem*, or capital punishment; which is to say, in plain Scotch, the gallows, simply because he did not fire when he was in office, but waited till the body was cut down, the execution whilk he had in charge to



guard implemented, and he himself exonerated of the public trust imposed on him."

"But, Mr Saddletree," said Plumdamas, "do ye really think John Porteous's case wad hae been better if he had begun firing before ony stanes were flung at a'?"

"Indeed do I, neighbour Plumdamas," replied Bartoline, confidently, "he being then in point of trust and in point of power, the execution being but inchoat, or, at least, not implemented, or finally ended; but after Wilson was cut down it was a' ower — he was clean exauctorate, and had nae mair ado but to get awa' wi' his guard up this West Bow as fast as if there had been a caption after him — And this is law, for I heard it laid down by Lord Vincovinentem."

"Vincovinentem? — Is he a lord of state, or a lord of seat?" enquired Mrs Howden.

"A lord of seat — a lord of session — I fash mysell little wi' lords o' state; they vex me wi' a wheen idle questions about their saddles, and curpels, and holsters, and horse-furniture, and what they'll cost, and whan they'll be ready — a wheen gallopping geese — my wife may serve the like o' them."

"And so might she, in her day, hae served the best lord in the land, for as little as ye think o' her, Mr Saddletree," said Mrs Howden, somewhat indignant at the contemptuous way in which



her gossip was mentioned; «when she and I were twa gilpies, we little thought to hae sitten down wi' the like o' my auld Davie Howden, or you either, Mr Saddletree.»

While Saddletree, who was not bright at a reply, was cudgelling his brains for an answer to this home-thrust, Miss Damahoy broke in on him.

«And as for the lords of state,” said Miss Damahoy, «ye suld mind the riding o' the parliament, Mr Saddletree, in the gude auld time before the Union, — a year's rent o' mony a gude estate gaed for horse graith and harnessing, forbye broidered robes and foot-mantles, that wad hae stude by their lane wi' gold brocade, and that were muckle in my ain line.»

«Ay, and then the lusty banquetting, with sweetmeats and comfits wet and dry, and dried fruits of divers sorts,” said Plumdamas. «But Scotland was Scotland in these days.»

«I'll tell ye what it is, neighbours,” said Mrs Howden, «I'll ne'er believe Scotland is Scotland ony mair, if our kindly Scots sit down with the affront they hae gi'en us this day. It's not only the blude that *is* shed, but the blude that might hae been shed, that's required at our hands; there was my daughter's wean, little Eppie Daidle — my oe, ye ken, Miss Grizel — had plaid the



truant frae the school, as bairns will do, ye ken, Mr Butler" — —

"And for which," interjected Mr Butler, they should be soundly scourged by their well-wishers."

"And had just cruppen to the gallows' foot to see the hanging, as was natural for a wean; and what for might na she hae been shot as weel as the rest o' them, and where wad we a' hae been then? I wonder how Queen Carline (if her name be Carline) wad hae liked to hae had ane o' her ain bairns in sic a venture?"

"Report says," answered Butler, "that such a circumstance would not have distressed her majesty beyond endurance."

"Aweel," said Mrs Howden, "the sum o' the matter is, that, were I a man, I wad hae amends o' Jock Porteous, be the upshot what like o't, if a' the carles and carlines in England had sworn to the nay-say."

"I would claw down the tolbooth door wi' my nails," said Mrs Grizel, "but I wad be at him."

"Ye may be very right, ladies," said Butler, "but I would not advise you to speak so loud."

"Speak!" exclaimed both the ladies together, "there will be naething else spoken about frae the Weigh house to the Water-port, till this is either ended or mended."

The females now departed to their respective places of abode. Plumdamas joined the other



two gentlemen in taking their *meridian*, (a bumper-dram of brandy,) as they passed the well-known low-browed shop in the Lawnmarket, where they were wont to take that refreshment. Mr Plumdamas then departed towards his shop, and Mr Butler, who happened to have some particular occasion for the rein of an old bridle, (the truants of that busy day could have anticipated its application,) walked down the Lawnmarket with Mr Saddletree, each talking as he could get a word thrust in, the one on the laws of Scotland, the other on those of syntax, and neither listening to a word which his companion uttered.



## CHAPTER V.

*Elswhair he colde right weel lay down the law,  
But in his house was meke as is a daw.*

*DAVIE LINDSAY.*

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» **T**HERE has been Jock Driver the carrier here, speering about his new graith," said Mrs Saddle-tree to her husband, as he crossed his threshold, not with the purpose by any means of consulting him upon his own affairs, but merely to intimate, by a gentle recapitulation, how much duty she had gone through in his absence.

«Weel," replied Bartoline, and deigned not a word more.

«And the Laird of Girdingburst has had his running footman here, and ca'd himsell, (he's a civil pleasant young gentleman,) to see when the broidered saddle-cloth for his sorrel horse will



be ready, for he wants it agane the Kelso races."

"Weel, aweel," replied Bartoline, as laconically as before.

"And his lordship, the Earl of Blazonbury, Lord Flash and Flame, is like to be clean daft, that the harness for the six Flanders mares, wi' the crests, coronets, housings, and mountings conform, are no sent hame according to promise gi'en."

"Weel, weel, weel — weel, well, gudewife," said Saddletree, "if he gangs daft, we'll hae him cognosced — it's a' very weel."

"It's weel that ye think sae, Mr Saddletree, answered his helpmate, rather nettled at the indifference with which her report was received; "there's mony ane wad hae thought themselves affronted, if sae mony customers had caad and naebody to answer them but women-folk, for a' the lads were aff sae soon as your back was turned to see Porteous hanged, that might be counted upon; and sae, you no being at hame" —

"Houts, Mrs Saddletree," said Bartoline, with an air of consequence, "dinna deave me wi' your nonsense; I was under the necessity of being elsewhere — *non omnia* — as Mr Crossmyloof said, when he was called by two macers at once, *non omnia possumus* — *pessimus* — *possimis* — I ken our lawlatin offends Mr Butler's ears, but



it means naeboddy, an' it were the Lord President himsell, can do twa turns at ance."

"Very right, Mr Saddletree," answered his careful helpmate, with a sarcastic smile, "and nae doubt it's a decent thing to leave your wife to look after young gentlemen's saddles and bridles, when ye gang to see a man, that never did ye nae ill, raxing a halter."

"Woman," said Saddletree, assuming an elevated tone, to which the *meridian* had somewhat contributed, "desist, — I say forbear from intermitting with affairs thou can'st not understand. D'ye think I was born to sit here brogging an elshin through bend-leather, when sic men as Duncan Forbes, and that other Arniston chield there, without muckle greater parts, if the close-head speak true, than mysell, maun be presidents and king's advocates nae doubt, and wha but they? Whereas, were favour equally distribute, as in the days of the wight Wallace" —

"I ken naething we wad hae gotten by the wight Wallace," said Mrs Saddletree, "unless, as I hae heard the auld folk tell, they fought in thae days wi' bend leather guns, and then it's a chance but what if he bought them, he might forget to pay for them. And as for the greatness of your parts, Bartley, the folk in the close-head maun ken mair about them than I do, if they make sic a report of them."



«I tell ye, woman,” said Saddletree, in high dudgeon, «that ye ken naething about these matters. In Sir William Wallace’s days, there was nae man pinned down to sic a slavish wark as a saddler’s, for they got ony leather graith that they had use for ready-made out of Holland.”

«Well,” said Butler, who was, like many of his profession, something of an humorist and dry joker, «if that be the case, Mr Saddletree, I think we have changed for the better; since we make our own harness, and only import our lawyers from Holland.”

«It’s too true, Mr Butler,” answered Bartoline with a sigh; «if I had had the luck — or rather, if my father had had the sense to send me to Leyden and Utrecht to learn the Substitutes and Pandex” —

«You mean the Institutes — Justinian’s Institutes, Mr Saddletree,” said Butler.

«Institutes and substitutes are synonymous words, Mr Butler, and used indifferently as such in deeds of tailzie, as you may see in Balfour’s Practiques, or Dallas of St Martin’s Stiles. I understand these things pretty weel, I thank God; but I own I should have studied in Holland.”

«To comfort you, you might not have been farther forward than you now are, Mr Saddletree,” replied Mr Butler; «for our Scottish advocates are an aristocratic race — Their brass is



of the right Corinthian quality, and *Non cuius contigit adire Corinthum* — aha, Mr Saddletree?"

"And aha, Mr Butler," rejoined Bartoline, upon whom, as may well be supposed, the jest was lost, and all but the sound of the words, "ye said a gliff syne it was *quius*, and now I heard ye say *cuius* with my ain ears, as plain as ever I heard a word at the fore-bar."

"Give me your patience, Mr Saddletree, and I'll explain the discrepancy in three words," said Butler, as pedantic in his own department, though with infinitely more judgment and learning, as Bartoline was in his self-assumed profession of the law — "Give me your patience for a moment — You'll grant that the nominative case is that by which a person or thing is nominated or designed, and which may be called the primary case, all others being formed from it by alterations of the termination in the learned languages, and by prepositions in our modern Babylonian jargons — You'll grant me that, I suppose, Mr Saddletree?"

"I dinna ken whether I will or no — *ad avisandum*, ye ken — naebody should be in a hurry to make admissions, either in point of law or in point of fact," said Saddletree, looking, or endeavouring to look, as if he understood what was said.

"And the dative case," continued Butler — —



“I ken what a tutor dative is,” said Saddletree, “readily enough.”

“The dative case,” resumed the grammarian, “is that in which any thing is given or assigned as properly belonging to a person, or thing — You cannot deny that, I am sure.”

“I am sure I’ll no grant it though,” said Saddletree.

“Then, what the *deevil* d’ye take the nominative and the dative cases to be?” said Butler, hastily, and surprised at once out of his decency of expression and accuracy of pronunciation.

“I’ll tell you that at leisure, Mr Butler,” said Saddletree, with a very knowing look; “I’ll take a day to see and answer every article of your condescendence, and then I’ll hold ye to confess or deny as accords.”

“Come, come, Mr Saddletree,” said his wife, “we’ll have nae confessions and condescendences here; let them deal in thae sort o’ wares that are paid for them — they suit the like o’ us as ill as a demipique saddle would set a draught ox.”

“Aha!” said Mr Butler, “*Opiat ephippia bos piger*, nothing new under the sun — But it was a fair hit of Mrs Saddletree, however.”

“And it wad far better become ye, Mr Saddletree,” continued his helpmate, “since ye say ye hae skeel o’ the law, to try if ye can do ony



thing for Effie Deans, puir thing, that's lying up in the tolbooth yonder, cauld and hungry and comfortless — a servant lass of ours, Mr Butler, and as innocent a lass to my thinking, and as usefu' in the chop — When Mr Saddletree gangs out, and ye're aware he's seldom at hame when there's ony o' the plea-houses open, poor Effie used to help me to tumble the bundles o' barked leather up and down, and range out the gudes, and suit a' body's humours — And troth, she could aye please the customers wi' her, answers, for she was aye civil, and a bonnier lass wasna in Auld Reekie. And when folk were hasty and unreasonable, she could serve them better than me, that am no sae young as I hae been, Mr Butler, and a wee bit short in the temper into the bargain. For when there's ower mony folk crying on me at anes, and nane but ae tongue to answer them, folk maun speak hastily or they'll ne'er get through wark — Sae I miss Effie daily" —

“*De die in diem*,” added Saddletree.

“I think,” said Butler, after a good deal of hesitation, “I have seen the girl in the shop — a modest-looking, black-haired girl?”

“Ay, ay, that's just puir Effie,” said her mistress. “How she was abandoned to hersell, or whether she was sackless o' the sinfu' deed, God in Heaven knows; but if she's been guilty,



she's been sair tempted, and I wad amaist take my Bible-aith she hasna been hersell at the time."

Butler had by this time become much agitated, he fidgetted up and down the shop, and shewed the greatest agitation that a person of such strict decorum could be supposed to give way to. "Was not this girl," he said, "the daughter of Andrew Deans, that had the parks at St Leonard's taken? and has she not a sister?"

"In troth has she — puir Jeanie Deans, ten years elder than hersell; she was here greeting a wee while syne about her sister. And what could I say to her, but that she behoved to come and speak to Mr Saddletree when he was at hame? It wasna that I thought Mr Saddletree could do her or ony other body muckle good or ill, but it wad aye serve to keep the puir thing's heart up for a wee while; and let sorrow come when sorrow maun."

"Ye're mista'en though, gudewife," said Saddletree scornfully, "for I could hae gi'en her great satisfaction; I could hae proved to her that her sister was indicted upon the statute sixteen hundred and ninety, chapter one — For the mair ready prevention of child murder — for concealing her pregnancy, and giving no account of the child which she had born."



“I hope,” said Butler, — “I trust in a gracious God, that she can clear herself.”

“And sae I do, Mr Butler,” replied Mrs Saddletree. “I am sure I wad hae answered for her as my ain daughter; but, waes my heart, I had been tender a’ the simmer, and scarce ower the door o’ my room for twal weeks. And as for Mr Saddletree, he might be in a lying-in hospital, and ne’er find out what the women cam there for. Sae I could see little or naething o’ her, or I wad hae had the truth o’ her situation out o’ her, I’s e warrant ye — But we a’ think her sister maun be able to speak something to clear her.”

“The haill Parliament House,” said Saddletree, “was speaking o’ naething else, till this job o’ Porteous’s put it out o’ head — It’s a beautiful point of presumptive murder, and there’s been nane like it in the Justiciar Court since the case of Luckie Smith the howdie, that suffered in the year sixteen hundred and seventy-nine.”

“But what’s the matter wi’ you, Mr Butler?” said the good woman, “ye are looking as white as a sheet; will ye take a dram?”

“By no means,” said Butler, compelling himself to speak. “I walked in from Dumfries yesterday, and this is a warm day.”



“Sit down,” said Mrs Saddletree, laying hands on him kindly, “and rest ye — ye’ll kill yoursell, man, at that rate. And are we to wish ye joy o’ getting the scule, Mr Butler?”

“Yes — no — I do not know.”

“Ye dinna ken whether ye are to get the free scule o’ Dumfries or no, after hinging on and teaching it a’ the simmer?”

“No, Mrs Saddletree — I am not to have it,” replied Butler. “The Laird of Black-at-the-bane had a natural son bred to the kirk that the presbytery could not be prevailed upon to license; and so” —

“Ay, ye need say nae mair about it; if there was a laird that had a puir kinsman or a bastard that it wad suit, there’s eneugh said. — And ye’re e’en come back to Libberton to wait for dead men’s shoon? — and, for as frail as Mr Whackbairn is, he may live as lang as you, that are his assistant and successor.”

“Very like,” replied Butler with a sigh: “I do not know if I should wish it otherwise.”

“Nae doubt it’s a very vexing thing,” continued the good lady, “to be in that dependent station; and you that hae right and title to sae muckle better, I wonder how ye bear these crosses.”

*Quos diligit castigat,*” answered Butler; “even the pagan Seneca could see an advantage in af-



fliction. The Heathens had their philosophy, and the Jews their revelation, Mrs Saddletree, and they endured their distresses in their day. Christians have a better dispensation than either — but doubtless” —

He stopped and sighed.

“I ken what ye mean,” said Mrs Saddletree, looking toward her husband; there’s whiles we lose patience in spite of baith book and Bible — But ye are no gaun awa, and looking sae poorly — ye’ll stay and take some kale wi’ us?”

Mr Saddletree laid aside Balfour’s Practiques, (his favourite study, and much good may it do him,) to join in his wife’s hospitable importunity. But the teacher declined all entreaty, and took his leave upon the spot.

“There’s something in a’ this,” said Mrs Saddletree, looking after him as he walked up the street; “I wonder what makes Mr Butler sae distressed about Effi’s misfortune — there was nae acquaintance atween them that ever I saw or heard of; but they were neighbours when David Deans was on the Laird of Dumbiedikes’ land. Mr Butler wad ken her father, or some o’ her folk. — Get up, Mr Saddletree — ye have set yoursell down on the very brecham that wants stitching — And here’s little Willie, the prentice. — Ye little rin-there-out de’il that ye are, what takes you raking through the gutters to see folk



hangit? — how wad ye like when it cums to be your ain chance, as I winna ensure ye, if ye dinna mend your manners? — And what are ye maundering and greeting for, as if a word were breaking your banes; gang in bye, and be a better bairn another time, and tell Peggy to gi'e ye a bicker o' broth, for ye'll be as gleg as a gled, I'se warrant ye. — It's a fatherless bairn, Mr Saddletree, and motherless, whilk in some cases may be waur, and ane wad take care o' him, if they could — it's a Christian duty."

"Very true, goodwife," said Saddletree in reply, "we are in *loco parentis* to him during his years of pupillarity, and I hae had thoughts of applying to the court for a commission as factor *loco tutoris*, seeing there is nae tutor nominate, and the tutor-at-law declines to act; but only I fear the expence of the procedure wad not be in *rem versam*, for I am not aware if Willie has ony effects whereof to assume the administration."

He concluded this sentence with a self important cough, as one who has laid down the law in an indisputable manner.

"Effects!" said Mrs Saddletree, "what effects has the puir wean? — he was in rags when his mother died; and the blue polonie that Effie made for him out of an auld mantle of my ain, was the first decent dress the bairn ever had on."



Poor Effie! can ye tell me na really, wi' a' your law, will her life be in danger, Mr Saddletree, when they are na able to prove that ever there was a bairn ava?"

"Whoy," said Mr Saddletree, delighted at having for once in his life seen his wife's attention arrested by a topic of legal discussion — "Whoy, there are two sorts of *murdrum* or *murdragium*, or what you *populariter et vulgariter* call murther. I mean there are many sorts; for there's your *murthrum per vigilias et insidias*, and your *murthrum* under trust."

"I am sure that's the way the gentry murder us merchants, and whiles makes us shut the booth up — but that has naething to do wi' Effie's misfortune."

"The case of Effie (or Euphemia) Deans," resumed Saddletree, "is one of those cases of murder presumptive, that is, a murder of the law's inferring or construction, being derived from certain *indicia* or grounds of suspicion."

"So that," said the good woman, "unless poor Effie has communicated her situation, she'll be hanged by the neck, if the bairn was still-born, or if it be alive at this moment?"

"Assuredly," said Saddletree, "it being a statute made by our sovereign Lord and Lady, to prevent the horrid delict of bringing forth children in secret — the crime is rather a fa-



avourite of the law, this species of murder being one of its ain creation."

"Then, if the law makes murders", said Mrs Saddletree, "the law should be hanged for them; or if they wad hang a lawyer instead, the country was find nae faut."

A summons to their frugal dinner interrupted the further progress of the conversation, which was otherwise like to take a turn much less favourable to the science of jurisprudence and its professors, than Mr Bartoline Saddletree, the fond admirer of both, had at its opening anticipated.



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## CHAPTER VI.

*But up then raise all Edinburgh,  
They all rose up by thousands three.*

*Johnnie Armstrong's Goodnight.*

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BUTLER, on his departure from the sign of the Golden Nag, went in quest of a friend of his connected with the law, at whom he wished to make particular enquiries concerning the circumstances in which the unfortunate young woman mentioned in the last chapter was placed, having, as the reader has probably already conjectured, reasons much deeper than those dictated by mere humanity, for interesting himself in her fate. He found the person he sought absent from home, and was equally unfortunate in one or two other calls which he made upon acquaintances whom he hoped to interest in her story. But



every body was, for the moment, stark-mad on the subject of Porteous, and engaged busily in attacking or defending the measures of government in reprieving him; and the ardour of dispute had excited such universal thirst, that half the young lawyers and writers, together with their very clerks, the class whom Butler was looking after, had adjourned the debate to some favourite tavern. It was computed by an experienced arithmetician, that there was as much twopenny ale consumed on the discussion as would have floated a first-rate man-of-war.

Butler wandered about until it was dusk, resolving to take that opportunity of visiting the unfortunate young woman, when his doing, so might be least observed; for he had his own reasons for avoiding the remarks of Mrs Saddletree, whose shop-door opened at no great distance from that of the gaol, though on the opposite or south side of the street, and a little higher up. He passed, therefore, through the narrow and partly covered passage leading from the north-west end of the Parliament Square.

He stood now before the Gothic entrance of the ancient prison, which, as is well known to all men, rears its ancient front in the very middle of the High Street, forming, as it were, the termination to a huge pile of buildings called the Luckenbooths, which, for some inconceivable



reason, our ancestors have jammed into the midst of the principal street of the town, leaving for passage a narrow street on the north, and on the south, into which the prison opens, a narrow crooked lane, winding betwixt the high and sombre walls of the Tolbooth and the adjacent houses on the one side, and the buttresses and projections of the old Cathedral upon the other. To give some gaiety to this sombre passage, (well, known by the name of the Krames,) a number of little booths, or shops, after the fashion of cobbler's stalls, are plaistered, as it were, against the Gothic projections and abutments, so that it seemed as if the traders had occupied with nests, bearing the same proportion to the building, every buttress and coign of vantage, as the martlett did in Macbeth's Castle. Of later years these booths have degenerated into mere toy-shops, where the little loiterers chiefly interested in such wares are tempted to linger, enchanted by the rich display of hobby-horses, babies, and Dutch toys, arranged in artful and gay confusion; yet half-scared by the cross-looks of the withered pantaloon, or spectacled old lady, by whom these tempting stores are watched and superintended. But, in the times we write of, the hosiers, the glovers, the hatters, the mercers, the milliners, and all who dealt in the miscellaneous wares now termed



haberdasher's goods, were to be found in this narrow alley.

To return from our digression. Butler found the outer turnkey, a tall thin old man, with long silver hair, in the act of locking the outward door of the jail. He addressed himself to this person, and asked admittance to Effie Deans, confined upon accusation of child-murder. The turnkey looked at him earnestly, and, civilly touching his hat out of respect to Butler's black coat and clerical appearance, replied, "It was impossible any one could be admitted at present."

"You shut up earlier than usual, probably on account of Captain Porteous's affair?" said Butler.

The turnkey, with the true mystery of a person in office, gave two grave nods, and withdrawing from the wards a ponderous key of about two feet in length, he proceeded to shut a strong plate of steel, which folded down above the key-hole, and was secured by a steel-spring and catch. Butler stood still instinctively while the door was made fast, and then looking at his watch, walked briskly up the street, muttering to himself almost unconsciously —



Porta adversa, ingens, solidoque adamante columna;  
 Vis ut nulla virum, non ipsi excindire ferro  
 Coelicolae valeant — Stat ferrea turris ad  
 auras — etc. \*

Having wasted more time in a second fruitless attempt to seek out his legal friend and adviser, he thought it time to leave the city and return to his place of residence, in a small village, about two miles and a half to the southward of Edinburgh. The metropolis was at this time surrounded by a high wall, with battlements and flanking projections at some intervals, and the access was through gates, called in the Scottish language *ports*, which were regularly shut at night. A small fee to the keepers would indeed procure egress and ingress at any time, through a wicket left for that purpose in the large gate, but it was of some importance, to a man so poor as Butler, to avoid even this slight pecuniary

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\*) Wide is the fronting gate, and raised on high,  
 With adamantine columns threats the sky;  
 Vain is the force of man, and Heaven's as vain,  
 To crush the pillars which the pile sustain;  
 Sublime on these a tower of steel is reared.



mulct; and fearing he might be near the hour of shutting the gates, he made for that to which he found himself nearest, although, by doing so, he somewhat lengthened his walk homewards. Bristo-port was that by which his direct road lay, but the West-port, which leads out of the Grassmarket, was the nearest of the city gates to the place where he found himself, and to that, therefore, he directed his course. He reached the port in ample time to pass the circuit of the walls, and enter a suburb called Portsburgh, chiefly inhabited by the lower order of citizens and mechanics. Here he was unexpectedly interrupted.

He had not gone far from the gate before he heard the sound of a drum, and, to his great surprise, met a number of persons, sufficient to occupy the whole front of the street, and form a considerable mass behind, moving with great speed towards the gate he had just come from, and having in front of them a drum beating to arms. While he considered how he should escape a party, assembled, as it might be presumed, for no lawful purpose, they came full on him and stopped him.

“Are you a clergyman?” one questioned him.

Butler replied that “he was in orders, but was not a placed minister.”



“It’s Mr Butler from Libberton,” said a voice from behind; “he’ll discharge the duty as weel as ony man.”

“You must turn back with us, sir,” said the first speaker, in a tone civil but peremptory.

“For what purpose, gentlemen?” said Mr Butler. “I live at some distance from town — the roads are unsafe by night — you will do me a serious injury by stopping me.”

“You shall be seen safely home — no man shall touch a hair of your head — but you must, and shall come along with us.”

“But to what purpose or end, gentlemen?” said Butler. “I hope you will be so civil as to explain that to me?”

“You shall know that in good time. Come along — for come you must, by force or fair means; and I warn you to look neither to the right hand nor the left, and to take no notice of any man’s face, but consider all that is passing before you as a dream.”

“I would it were a dream I could awaken from,” said Butler to himself; but having no means to oppose the violence with which he was threatened, he was compelled to turn round and march in front of the rioters, two men partly supporting and partly holding him. During this parley the insurgents had made themselves masters of the Westport, rushing upon the waiters,



so the people were called who had the charge of the gates,) and possessing themselves of the keys. They bolted and barred the folding doors, and commanded the person, whose duty it usually was, to secure the wicket, of which they did not understand the fastenings. The man, terrified at an incident so totally unexpected, was unable to perform his usual office, and gave the matter up, after several attempts. The rioters, who seemed to have come prepared for every emergency, called for torches, by the light of which they nailed up the wicket with long nails, which, it seemed probable, they had provided on purpose.

While this was going on, Butler could not, even if he had been willing, have avoided making remarks on the individuals who seemed to lead this singular mob. The torch-light, while it fell on their forms and left him in the shade, gave him an opportunity to do so without their observing him. Several of those who seemed most active were dressed in sailors' jackets, trowsers, and sea caps; others in large loose-bodied great-coats, and slouched hats; and there were several, who, judging from their dress, should have been called women, whose rough deep voices, uncommon size, and masculine deportment and mode of walking, forbade them being so interpreted. They moved as if by some



well-concerted plan of arrangement. They had signals by which they knew, and nick-names by which they distinguished each other. Butler remarked, that the name of Wildfire was used among them, to which one stout Amazon seemed to reply.

The rioters left a small party to observe the West Port, and directed the waiters, as they valued their lives, to remain within their lodge, and make no attempt for that night to repossess themselves of the gate. They then moved with rapidity along the low street called the Cowgate, the mob of the city every where rising at the sound of their drum, and joining them. When they arrived at the Cowgate Port, they secured it with as little opposition as the former, made it fast, and left a small party to observe it. It was afterwards remarked, as a singular instance of prudence and precaution, singularly combined with audacity, that the parties left to guard those gates did not remain stationary on their posts, but flitted to and fro, keeping so near the gates as to see that no efforts were made to open them, yet not remaining so long as to have their persons observed. The mob, at first only about one hundred strong, now amounted to thousands, and were increasing every moment. They divided themselves so as to ascend with more speed the various narrow lanes which lead up from the



Cowgate to the High Street; and still beating to arms as they went, and calling on all true Scotsmen to join them, they now filled the principal street of the city.

The Netherbow Port might be called the Temple-bar of Edinburgh, as, intersecting the High Street at its termination, it divided Edinburgh, [properly so called, from the suburb called the Canongate, as Temple-bar divides London from Westminster. It was of the utmost importance to the rioters to possess themselves of this pass, because there was quartered in the Canongate at that time a regiment of infantry, commanded by Colonel Moyle, which might have occupied the city by advancing through this gate, and totally defeated the purpose of the rioters. The leaders therefore hastened to the Netherbow Port, which they secured in the same manner, and with as little trouble, as the other gates, leaving a party to watch it, strong in proportion to the importance of the post.

The next object of these hardy insurgents was at once to disarm the City Guard, and to procure arms for themselves; for scarce any weapons but staves and bludgeons had been yet seen among them. The Guard-house was a long, low, ugly building, (removed in 1787,) which to a fanciful imagination might have suggested the idea of a long black snail crawling up the middle



of the High Street, and deforming its beautiful esplanade. This formidable insurrection had been so unexpected, that there were no more than the ordinary serjeant's guard of the city corps upon duty; even these were without any supply of powder and ball; and sensible enough what had raised the storm, and which way it was rolling, could hardly be supposed very desirous to expose themselves by a valiant defence to the animosity of so numerous and desperate a mob, to whom they were on the present occasion much more than usually obnoxious.

There was a centinel upon guard, who (that one town-guard soldier might do his duty on that eventful evening) presented his piece, and desired the foremost of the rioters to stand off. The young amazon, whom Butler had observed particularly active, sprung upon the soldier, seized his musket, and after a struggle succeeded in wrenching it from him, and throwing him down on the causeway. One or two soldiers, who endeavoured to turn out to the support of their centinel, were in the same manner seized and disarmed, and the mob without difficulty possessed themselves of the Guard house, disarming and turning out the rest of the men on duty. It was remarked, that, notwithstanding the city soldiers had been the instruments of the slaughter which this riot was designed to revenge, no



ill usage or even insult was offered to them. It seemed as if the vengeance of the people disdained to stoop at any head meaner than that which they considered as the source and origin of their injuries.

On possessing themselves of the guard, the first act was to destroy the drums by which they supposed an alarm might be conveyed to the garrison in the castle; for the same reason they now silenced their own, which was beaten by a young fellow, son to the drummer of Portsburgh, whom they had forced upon that service. Their next business was to distribute among the boldest of the rioters the guns, bayonets, partizans, halberts, and battle or Lochaber axes. Until this period the principal rioters had preserved silence on the ultimate object of their rising, as being that which all knew, but none expressed. Now, however, having accomplished all the preliminary parts of their design, they raised a tremendous shout of "Porteous! Porteous! To the Tolbooth! To the Tolbooth!"

They proceeded with the same prudence when the object seemed to be nearly in their grasp, as they had done hitherto when success was more dubious. A strong party of the rioters, drawn up in front of the Luckenbooths, and facing down the street, prevented all access from the eastward, and the west end of the defile formed by the



Luckenbooths was secured in the same manner; so that the Tolbooth was completely surrounded, and those who undertook the task of breaking it open effectually secured against the risk of interruption.

The magistrates, in the mean while, had taken the alarm, and assembled in a tavern, with the purpose of raising some strength to subdue the rioters. The deacons, or presidents of the trades, were applied to, but declared there was little chance of their being useful where it was the object to save a man so obnoxious. Mr Lindsay, member of parliament for the city, volunteered the perilous task of carrying a verbal message from the Lord Provost to Colonel Moyle, the commander of the regiment lying in the Canongate, requesting him to force the Netherbow-Port, and enter the city to put down the tumult. But Mr Lindsay declined to charge himself with any written order, which, if found on his person by an enraged mob, might have cost him his life; and the issue of the application was, that Colonel Moyle, having no written requisition from the civil authorities, and having the fate of Porteous before his eyes as an example of the severe construction put by a jury on the proceedings of military men acting on their own responsibility, declined to encounter the risk to which the Provost's measures invited him.



More than one messenger was dispatched by different ways to the Castle, to require the commanding officer to march down his troops, to fire a few cannon-shot, or even to throw a shell among the mob, for the purpose of clearing the streets. But so strict and watchful were the various patrols whom the rioters had established in different parts of the street, that none of the emissaries of the magistrates could reach the gate of the Castle. They were, however, turned back without either injury or insult, and with nothing more of menace than was necessary to deter them from again attempting to carry their errand.

The same vigilance was used to prevent every body of the higher, and those which, in this case, might be deemed the more suspicious orders of society, from appearing in the street, and observing the movements, or distinguishing the persons, of the rioters. Every person in the garb of a gentleman was stopped by small parties of two or three of the mob, who partly exhorted, partly required of them, that they should return to the place from whence they came. Many a quadrille table was spoiled that memorable evening; for the sedan chairs of ladies, and even of the highest rank, were interrupted in their passage from one point to another, in despite of the laced footmen



and blazing flambeaux. This was uniformly done with a deference and attention to the feelings of the ladies, which could hardly have been expected from the videttes of a mob so desperate. Those who stopped the chair usually made the excuse, that there was much disturbance on the streets, and that it was absolutely necessary for the lady's safety that the chair should turn back. They offered themselves to escort the chairs which they had thus interrupted in their progress, from the apprehension, probably, that some of those who had casually united themselves to the riot might disgrace their systematic and determined plan of vengeance, by those acts of general insult and licence which are common on similar occasions.

Persons are yet living who remember to have heard from the mouths of ladies thus interrupted on their journey in the manner we have described, that they were escorted to their lodgings by the young men who stopped them, and even handed out of their chairs, with a polite attention far beyond what was consistent with their dress, which was apparently that of journeymen mechanics. It seemed as if the conspirators, like those who assassinated the Cardinal Beaton in former days, had entertained the opinion, that the work about which they went was a judgment of Heaven, which, though unsanctioned by



the usual authorities, ought to be proceeded in with order and gravity.

While their outposts continued thus vigilant, and suffered themselves neither from fear nor curiosity to neglect that part of the duty assigned to them, and while the main guards to the east and west secured them against interruption, a select body of the rioters thundered at the door of the jail, and demanded instant admission. No one answered, for the outer keeper had prudently made his escape with the keys at the commencement of the riot, and was no where to be found. The doors were instantly assailed with sledge-hammers, iron-crows, and the coul-ters of ploughs, ready provided for the purpose, with which they prized, heaved, and battered for some time with little effect, the door being of double oak planks, clenched both end-long and athwart with broad-headed nails, and so hung and secured as to yield to no means of forcing, without the expenditure of much time. The rioters, however, seemed determined to gain admittance. Gang after gang relieved each other at the exercise, for, of course, only a few could work at a time; but gang after gang retired, exhausted with their violent exertions, without making much progress in forcing the prison-door. Butler had been led up near to this the princi-



pal scene of action; so near, indeed, that he was almost deafened by the unceasing clang of the heavy forehammers against the iron-bound portals of the prison. He began to entertain hopes, as the task seemed protracted, that the populace might give it over in despair, or that some rescue might arrive to disperse them. There was a moment at which the latter seemed probable.

The magistrates, having assembled their officers, and some of the citizens who were willing to hazard themselves for the public tranquillity, now sallied forth from the tavern where they held their sitting, and approached the point of danger. Their officers went before them with links and torches, with a herald to read the riot act, if necessary. They easily drove before them the outposts and videttes of the rioters; but when they approached the line of guard which the mob, or rather, we should say, the conspirators, had drawn across the street in the front of the Luckenbooths, they were received with an unintermitted volley of stones, and, on their nearer approach, the pikes, bayonets, and Lochaber axes, of which the populace had possessed themselves, were presented against them. One of their ordinary officers, a strong resolute fellow, went forward, seized a rioter, and took from him a musket; but, being unsupported, he was



instantly thrown on his back in the street, and disarmed in his turn. The officer was too happy to be permitted to rise and run away without receiving any farther injury; which afforded another remarkable instance of the mode in which these men had united a sort of moderation towards all others, with the most inflexible inveteracy against the object of their resentment. The magistrates, after vain attempts to make themselves heard and obeyed, possessing no means of enforcing their authority, were constrained to abandon the field to the rioters, and retreat in all speed from the showers of missiles that whistled around their ears.

The passive resistance of the Tolbooth promised to do more to baffle the purpose of the mob than the active interference of the magistrates. The heavy sledge-hammers continued to din against it without intermission, and with a noise which, echoed from the lofty buildings around the spot, seemed enough to have alarmed the garrison in the Castle. It was circulated among the rioters, that the troops would march down to disperse them, unless they could execute their purpose without loss of time; or that, even without quitting the fortress, the garrison might obtain the same end by throwing a bomb or two upon the street.



Urged by such motives for apprehension, they eagerly relieved each other at the labour of assailing the Tolbooth door; yet such was its strength, that it still defied their efforts. At length, a voice was heard to pronounce the words, "Try it with fire." The rioters, with an unanimous shout, called for combustibles, and as all their wishes seemed to be instantly supplied, they were soon in possession of two or three empty tar-barrels. A huge red glaring bonfire soon arose close to the door of the prison, sending up a tall column of smoke and flame against its antique turrets and strongly grated windows, and illuminating the ferocious faces and wild gestures of the rioters who surrounded the place, as well as the pale and anxious groupes of those who, from windows in the vicinage, watched the progress of this alarming scene. The mob fed the fire with whatever they could find fit for the purpose. The flames roared and crackled among the heaps of nourishment piled on the fire, and a terrible shout soon announced that the door had kindled, and was in the act of being destroyed. The fire was suffered to decay, but, long ere it was quite extinguished, the most forward of the rioters rushed, in their impatience, one after another, over its yet smouldering remains. Thick showers of sparkles rose high in the air, as man after man bounded over



the glowing embers, and disturbed them in their passage. It was now obvious to Butler, and all others who were present, that the rioters would be instantly in possession of their victim, and have it in their power to work their pleasure upon him, whatever that might be.

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## CHAPTER VII.

*The evil you teach us, we will execute; and it shall go hard but we will better the instruction.*

*Merchant of Venice.*

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THE unhappy object of this remarkable disturbance had been that day delivered from the apprehension of a public execution, and his joy was the greater, as he had some reason to question whether government would have run the risk of unpopularity by interfering in his favour after he had been legally convicted by the verdict of a jury, of a crime so very obnoxious. Relieved from this doubtful state of mind, his heart was merry within him, and he thought, in the emphatic words of Scripture on a similar occasion, that surely the bitterness of death was past. Some of his friends, however, who had



watched the manner and behaviour of the crowd when they were made acquainted with the reprieve, were of a different opinion. They augured, from the unusual sternness and silence with which they bore their disappointment, that the populace nourished some scheme of sudden and desperate vengeance, and they advised Porteous to lose no time in petitioning the proper authorities, that he might be conveyed to the Castle under a sufficient guard, to remain there in security until his ultimate fate should be determined. Habituated, however, by his office, to despise and overawe the rabble of the city, Porteous could not suspect them of an attempt so audacious as to storm a strong and defensible prison; and, despising the advice by which he might have been saved, he spent the afternoon of the eventful day in giving an entertainment to some friends who visited him in jail, several of whom, by the indulgence of the Captain of the Tolbooth, with whom he had an old intimacy, arising from their official connection, were even permitted to remain to supper with him, though contrary to the rules of the jail.

It was, therefore, in the hour of unalloyed mirth, when this unfortunate wretch was "full of bread," hot with wine, and high in mistimed and ill-grounded confidence, and alas! with all his sins full blown, when the first distant shouts



of the rioters mingled with the song of merriment and intemperance. The hurried call of the jailor to the guests, requiring them instantly to depart, and his yet more hasty intimation that a dreadful and determined mob had possessed themselves of the city gates and guard-house, were the first explanation of these fearful clamours.

Porteous might, however, have eluded the fury from which the force of authority could not protect him, had he thought of slipping on some disguise, and leaving the prison along with his guests. It is probable that the jailor might have connived at his escape, or even that, in the hurry of this alarming contingency, he might not have observed it. But Porteous and his friends alike wanted presence of mind to suggest or execute such a plan of escape. The former hastily fled from a place where their own safety seemed compromised, and the latter, in a state resembling stupefaction, awaited in his apartment the termination of the enterprise of the rioters. The cessation of the clang of the instruments with which they had at first attempted to force the door, gave him momentary relief. The flattering hopes, that the military had marched into the city, either from the Castle or from the suburbs, and that the rioters were intimidated and dispersing, were soon destroyed by the broad



and glaring light of the flames, which, illuminating through the grated window every corner of his apartment, plainly shewed that the mob, determined on their fatal purpose, had adopted a means of forcing entrance equally desperate and certain.

The sudden glare of light suggested to the stupified and astonished object of popular hatred the possibility of concealment or escape. To rush to the chimney, to ascend it at the risk of suffocation, was the only means which seem to have occurred to him; but his progress was speedily stopped by one of those iron gratings, which are, for the sake of security, usually placed across the vents of buildings designed for imprisonment. The bars, however, which impeded his farther progress, served to support him in the situation which he had gained, and he seized them with the tenacious grasp of one who esteemed himself clinging to his last hope of existence. The lurid light, which had filled the apartment, lowered and died away; the sound of shouts was heard within the walls, and on the narrow and winding stair, which, cased within one of the turrets, gave access to the upper apartments of the prison. The huzza of the rioters was answered by a shout wild and desperate as their own, the cry, namely, of the imprisoned felons, who, expecting to be liberated in the general confusion, welcomed



the mob as their deliverers. By some of these the apartment of Porteous was pointed out to his enemies. The obstacle of the lock and bolts was soon overcome, and from his hiding-place the unfortunate man heard his enemies search every corner of the apartment, with oaths and maledictions which would but shock the reader if we recorded them, but which served to prove, could it have admitted of doubt, the settled purpose of soul with which they sought his destruction.

A place of concealment so obvious to suspicion and scrutiny as that which Porteous had chosen, could not long screen him from detection. He was dragged from his lurking-place, with a violence which seemed to argue an intention to put him to death on the spot. More than one weapon was directed towards him, when one of the rioters, the same whose female disguise had been particularly noticed by Butler, interfered in an authoritative tone. "Are ye mad?" he said, "or would ye execute an act of justice as if it were a crime and a cruelty? This sacrifice will lose half its savour if we do not offer it at the very horns of the altar. We will have him die where a murderer should die, on the common gibbet — We will have him die where he spilled the blood of so many innocents!"

A loud shout of applause followed the pro-



posals, and the cry, "To the gallows with the murderer! — To the Grassmarket with him!" echoed on all hands.

"Let no man hurt him," continued the speaker; "let him make his peace with God, if he can; we will not kill both his soul and body."

"What time did he gi'e better folk for preparing their account?" answered several voices. "Let us mete to him with the same measure he gi'ed to them."

But the opinion of the spokesman better suited the temper of those he addressed, a temper rather stubborn than impetuous, and desirous of imposing upon their cruel and revengeful action a shew of justice and moderation.

For an instant this man quitted the prisoner, whom he consigned to a selected guard, with instructions to permit him to give his money and property to whomsoever he pleased. A person confined in the jail for debt received this last deposit from the trembling hand of the victim, who was at the same time permitted to make some other brief arrangements to meet his approaching fate. The felons, and all others who wished to leave the jail, were now at full liberty to do so; not that their liberation made any part of the settled purpose of the rioters, but it followed as almost a necessary consequence of their forcing the jail doors. With wild cries of ju-



bilee they joined the mob, or disappeared among the narrow lanes to seek out the concealed receptacles of vice and infamy, where they were accustomed to lurk and conceal themselves from justice. Two persons, a man about fifty years old, and a girl about eighteen, were all who continued within the fatal walls, excepting two or three debtors, who probably saw no advantage in attempting their escape. The persons we have mentioned remained in the strong-room of the prison, now deserted by all others. One of their late companions in misfortune called out to the man to make his escape, in the tone of an acquaintance. «Rin for it, Ratcliffe — the road's clear.»

«It may be sae, Willie,» answered Ratcliffe, composedly, «but I have ta'en a fancy to leave all trade, and set up for an honest man.»

«Stay there, and be hanged for a donnard auld deevil,» said the other, and ran down the prisonstair.

The person whom we have distinguished as one of the most active rioters, was about the same time at the ear of the young woman. «Flee, Effie, flee,» was all he had time to whisper. She turned towards him an eye of mingled fear, affection, and upbraiding, all contending with a sort of stupified surprise. He again repeated, «Flee, Effie, flee, for the sake of a' that's good and



dear to ye." Again she gazed on him, but was unable to answer. A loud noise was now heard, and the name of Madge Wildfire was repeatedly called from the bottom of the staircase.

"I am coming. — I am coming," said the person who answered to that appellative; and then reiterating hastily, "For God's sake — for your ain sake — for my sake, flee, or they'll take your life!" he left the strong-room.

The girl gazed after him for a moment, and after faintly muttering, "Better tyne life, since tint is gude fame," she sunk her head upon her hand, and remained, seemingly, unconscious as a statue of the noise and tumult which passed around her.

That tumult was now transferred from the inside to the outside of the Tolbooth. The mob had brought their destined victim forth, and were about to conduct him to the common place of execution, which they had fixed as the scene of his death. The leader, whom they distinguished by the name of Madge Wildfire, had been summoned to assist at the procession by the impatient shouts of his confederates.

"I will ensure you five hundred pounds," said the unhappy man, grasping Wildfire's hand — "five hundred pounds for to save my life."

The other answered in the same under-tone, and returning his grasp with one equally con-



vulsive, «Five hundred-weight of coined gold should not save you — Remember Wilson.»

A deep pause of a minute ensued, when Wildfire added, in a more composed tone, «Make your peace with Heaven — Where is the clergyman?»

Butler, who, in great terror and anxiety, had been detained within a few yards of the Tolbooth door, to wait the event of the search after Porteous, was now brought forward, and commanded to walk by the prisoner's side, and to prepare him for immediate death. His answer was a supplication that the rioters would consider what they did. «You are neither judges nor jury," said he. «You cannot have, by the laws of God or man, power to take away the life of a human creature, however deserving he may be of death. If it is murder even in a lawful magistrate to execute an offender otherwise than in the place, time, and manner which his sentence prescribes, what must it be in you, who have no warrant for your interference but your own wills? In the name of Him who is all Mercy! shew mercy to this unhappy man, and do not dip your hands in his blood, nor rush into the very crime which you are desirous of avenging.»

«Cut your sermon short — you are not in your pulpit," answered one of the rioters.

«If we hear more of your clavers," said



another, "we are like to hang you up beside him."

"Peace — hush!" said Wildfire. "Do the good man no skaith — he discharges his conscience, and I like him the better."

He then addressed Butler. "Now, sir, we have patiently heard you, and we just wish you to understand, in the way of answer, that you may as well argue to the ashler-wark and iron-staunchels of the Tolbooth as think to change our purpose — Blood must have blood. We have sworn to each other by the deepest oaths ever were pledged, that Porteous should die the death he deserves sae richly; therefore, speak no more to us, but prepare him for death as well as the briefness of his change will permit."

They had suffered the unfortunate Porteous to put on his night-gown and slippers, as he had thrown off his coat and shoes, in order to facilitate his attempted escape up the chimney. In this garb he was now mounted on the hands of two of the rioters, clasped together, so as to form what is called in Scotland, "The King's Cushion." Butler was placed close to his side, and repeatedly urged to perform a duty always the most painful which can be imposed on a clergyman deserving of the name, and now rendered more so by the peculiar and horrid circumstances of the criminal's case. Porteous at



first uttered some supplications for mercy, but when he found that there was no chance that these would be attended to, his military education, and the natural stubbornness of his disposition, combined to support his spirits.

«Are you prepared for this dreadful end?» said Butler, in a faltering voice. «O turn to Him, in whose eyes time and space have no existence, and to whom a few minutes are as a lifetime, and a life-time as a minute.»

«I believe I know what you would say,» said Porteous sullenly. «I was bred a soldier; if they will murder me without time, let my sins as well as my blood lie at their door.»

«Who was it,» said the stern voice of Wildfire, «that said to Wilson at this very spot, when he could not pray, owing to the galling agony of his fetters, that his pains would soon be over? — I say to you to take your own tale home; and if you cannot profit by the good man's lessons, blame not them that are still more merciful to you than you to others.»

The procession now moved forward with a slow and determined pace. It was enlightened by many blazing links and torches for the actors of this work were so far from affecting any secrecy on the occasion, that they seemed even to court observation. Their principal leaders kept close to the person of the prisoner, whose pallid



yet stubborn features were seen distinctly by the torch-light, as his person was raised considerably above the concourse which thronged around him. Those who bore swords, muskets, and battle axes, marched on each side, as if forming a regular guard to the procession. The windows, as they went along, were filled with the inhabitants, whose slumbers had been broken by this unusual disturbance. Some of the spectators muttered accents of encouragement, but in general they were so much appalled by a sight so strange and audacious, that they looked on with a sort of stupified astonishment. No one offered, by act or word, the slightest interruption.

The rioters, on their part, continued to act with the same air of deliberate confidence and security which had marked all their proceedings. When the object of their resentment dropped one of his slippers, they stopped, sought for it, and replaced it upon his foot with great deliberation. As they descended the Bow towards the fatal spot where they designed to complete their purpose, it was suggested that there should be a rope kept in readiness. For this purpose the booth of a man who dealt in cordage was forced open, a coil of rope fit for their purpose was selected to serve as a halter, and the dealer next morning found that a guinea had been left on



his counter in exchange; so anxious were the perpetrators of this daring action to shew that they meditated not the slightest wrong or infraction of law, excepting so far as Porteous was himself concerned.

Leading, or carrying along with them, in this determined and regular manner, the object of their vengeance, they at length reached the place of common execution, the scene of his crime, and destined spot of his sufferings. Several of the rioters (if they should not rather be described as conspirators) endeavoured to remove the stone which filled up the socket in which the end of the fatal tree was sunk when it was erected for its fatal purpose; others sought for the means of constructing a temporary gibbet, the place in which the gallows itself was deposited being reported too secure to be forced, without much loss of time. Butler endeavoured to avail himself of the delay afforded by these circumstances, to turn the people from their desperate design. "For God's sake," he exclaimed "remember it is the image of your Creator which you are about to deface in the person of this unfortunate man! Wretched as he is, and wicked as he may be, he has a share in every promise of Scripture, and you cannot destroy him in impenitence without blotting his name



from the Book of Life — Do not destroy soul and body, give time for preparation.”

“What time had they,” returned a stern voice, “whom he murdered on this very spot? — The laws both of God and man call for his death.”

“But what, my friends,” insisted Butler, with a generous disregard to his own safety — “what hath constituted you his judges?”

“We are not his judges,” replied the same person; “he has been already judged and condemned by lawful authority. We are those whom Heaven, and our righteous anger, have stirred up to execute judgment, when a corrupt government would have protected a murderer.”

“I am none,” said the unfortunate Porteous; “that which you charge upon me fell out in self-defence, in the lawful exercise of my duty.”

“Away with him — away with him;” was the general cry. “Why do you trifle away time in making a gallows? — that dyester’s pole is good enough for the homicide.”

The unhappy man was forced to his fate with remorseless rapidity. Butler, separated from him by the press, escaped the last horrors of his struggles. Unnoticed by those who had hitherto detained him as a prisoner, he fled from the fatal spot, without much caring in what direction his course lay. A loud shout proclaimed the stern delight with which the agents of this deed



regarded its completion. Butler then, at the opening into the low street called the Cowgate, cast back a terrified glance, and, by the red and dusky light of the torches, he could discern a figure wavering and struggling as it hung suspended above the heads of the multitude. The sight was of a nature to double his horror, and to add wings to his flight. The street down which he ran opens to one of the eastern ports or gates of the city. Butler did not stop till he reached it, but found it still shut. He waited nearly an hour, walking up and down in inexpressible perturbation of mind. At length he ventured to call out, and rouse the attention of the terrified keepers of the gate, who now found themselves at liberty to resume their office without interruption. Butler requested them to open the gate. They hesitated. He told them his name and occupation.

“He is a preacher,” said one; “I have heard him preach in Haddo’s-hole.”

“A fine preaching has he been at the night,” said another, “but maybe least said is sunest mended.”

Opening then the wicket in one of the leaves of the main-gate, the keepers suffered Butler to depart, who hastened to carry his horror and fear from beyond the walls of Edinburgh. His first purpose was, instantly to take the road home-



ward; but other fears and cares, connected with the news he had learned in that remarkable day, induced him to linger in the neighbourhood of Edinburgh until daybreak. More than one group of persons passed him as he was whileing away the hours of darkness that yet remained, whom, from the stifled tones of their discourse, the unwonted hour when they travelled, and the hasty pace at which they walked, he conjectured to have been engaged in the late fatal transaction.

Certain it was, that the sudden and total dispersion of the rioters, when their vindictive purpose was accomplished seemed not the least remarkable feature of this singular affair. In general, whatever may be the impelling motive by which a mob is at first raised, the attainment of their object has usually been only found to load the way to farther excesses. But not so in the present case. They seemed completely satiated with the vengeance they had prosecuted with such staunch and sagacious activity. When they were fully satisfied that life had abandoned their victim, they dispersed in every direction, throwing down the weapons which they had only assumed to enable them to carry through their purpose. At daybreak there remained not the least token of the events of the night, excepting the corpse of Porteous, which remained suspended



in the place where he had suffered, and the arms of various kinds which the rioters had taken from the city guard-house, and which remained scattered about the streets as they had thrown them from their hands, when the purpose for which they had seized them was accomplished.

The ordinary magistrates of the city resumed their power, not without trembling at the late experience of the fragility of its tenure. To march troops into the city, and commence a severe enquiry into the transactions of the preceding night, were the first marks of returning energy which they displayed. But these events had been conducted on so secure and well-calculated a plan of safety and secrecy, that there was little or nothing learned to throw light upon the authors or principal actors in a scheme so audacious. An express was dispatched to London with the tidings, where they excited great indignation and surprise in the council of regency, and particularly in the bosom of Queen Caroline, who considered her own authority as exposed to contempt by the success of this singular conspiracy. Nothing was spoke of for some time save the measure of vengeance which should be taken, not only on the actors of this tragedy, so soon as they should be discovered, but upon the magistrates who had suffered it to take place, and upon the city which had been the scene



where it was exhibited. Upon this occasion, it is still recorded in popular tradition, that her Majesty, in the height of her displeasure, told the celebrated John, Duke of Argyle, that, sooner than submit to such an insult, she would make Scotland a hunting-field. «In that case, madam,” answered that high-spirited nobleman, with a profound bow, «I will take leave of your Majesty, and go down to my own country to get my hounds ready.

The import of the reply had more than met the ear; and as most of the Scottish nobility and gentry seemed actuated by the same national spirit, the royal displeasure was necessarily checked in mid-volley, and milder courses were recommended and adopted, to some of which we may hereafter have occasion to advert.



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CHAPTER VIII.

*Arthur's Seat shall be my bed,
The sheets shall never be press'd by me;
St Anton's well shall be my drink,
Sin' my true-love's forsaken me.*

Old Song.

IF I were to chuse a spot from which the rising or setting sun could be seen to the greatest possible advantage, it would be that wild walk winding around the foot of the high belt of semi circular rocks, called Salisbury Crags, and marking the verge of the steep descent which slopes down into the glen on the south-eastern side of the city of Edinburgh. The prospect, in its general outline, commands a close-built high-piled city, stretching itself out beneath in a form, which, to a romantic imagination, may be supposed to represent that of a dragon; now, a

noble arm of the sea, with its rocks, isles, distant shores, and boundary of mountains, and now a fair and fertile champaign country, varied with hill, dale, and rock, and skirted by the varied and picturesque ridge of the Pentland Mountains. But as the path gently circles around the base of the cliffs, the prospect, composed as it is of these enchanting and sublime subjects, changes at every step, and presents them blended with or divided from each other, in every possible variety which can gratify the eye and the imagination. When a piece of scenery so beautiful, yet so varied, — so exciting by its intricacy, and yet so sublime, — is lighted up by the tints of morning or of evening, and displays all that variety of shadowy depth, exchanged with partial brilliancy, which gives character even to the tamest of landscapes, the effect approaches nearer to enchantment. This path used to be my favourite evening and morning resort, when engaged with a favourite author, or new subject of study. It is, I am informed, now become totally impassable; a circumstance which, if true, reflects little credit on the taste of the Good Town or its leaders.

It was from this fascinating path, — the scene to me of so much delicious musing, when life was young and promised to be happy, that I have been unable to pass it over without an

episodical description — it was, I say, from this romantic path that Butler saw the morning arise the day after the murder of Porteous. It was possible for him with ease to have found a much shorter road to the house to which he was directing his course, and in fact, that which he chose was extremely circuitous. But to compose his own spirits, as well as to while away the time, until a proper hour for visiting the family without surprise or disturbance he was induced to extend his circuit by the foot of the rocks, and to linger upon his way until the morning should be considerably advanced. While, now standing with his arms across, and waiting the slow progress of the sun above the horizon, now sitting upon one of the numerous fragments which storms had detached from the rocks above him, he is meditating, alternately, upon the horrible catastrophe which he had witnessed, and upon the melancholy, and to him most interesting, news which he had learned at Saddletree's, we will give the reader to understand who Butler was, and by what his fate was connected with that of Effie Deans, the unfortunate handmaiden of the careful Mrs Saddletree.

Reuben Butler was of English extraction, though born in Scotland. His grandfather was a trooper in Monk's army, and one of that party of dismounted dragoons which formed the for-

lorn-hope at the storm of Dundee in 1651. Stephen Butler (called, from his talents in reading and expounding, Scripture Stephen, and Bible Butler) was a staunch independent, and received in its fullest comprehension the promise that the saints should inherit the earth. As hard knocks were what had chiefly fallen to his share hitherto in the division of this common property, he lost not the opportunity which the storm and plunder of a commercial place afforded him, to appropriate as large a share of the better things of this world as he could possibly compass. It would seem that he had succeeded indifferently well, for his exterior circumstances appear, in consequence of this event, to have been much mended.

The troop to which he belonged was quartered at the village of Dalkeith, as forming the body guard of Monk, who, in the capacity of general for the Commonwealth, resided in the neighbouring castle. When, on the eve of the Restoration, the general commenced his march from Scotland, a measure pregnant with such important consequences, he new-modelled his troops, and more especially those immediately about his person, in order that they might consist entirely of individuals devoted to himself. Upon this occasion Scripture Stephen was weighed in the balance, and found wanting. It was

supposed he felt no call to any expedition which might endanger the reign of the military saint-hood, and that he did not consider himself as free in conscience to join with any party which might ultimately acknowledge the interest of Charles Stuart, the son of "the last man," as Charles I. was familiarly and irreverently termed by them in their common discourse, as well as in their more elaborate predications and harangues. As the time did not admit of cashiering such dissidents, Stephen Butler was only advised in a friendly way to give up his horse and accoutrements to one of Middleton's old troopers, who possessed an accommodating conscience of a military stamp, and which squared itself chiefly upon those of the colonel and paymaster. As this hint came recommended by a certain sum of arrears presently payable, Stephen had carnal wisdom enough to embrace the proposal, and with great indifference saw his old corps depart for Coldstream, on their route for the south, to establish the tottering government of England on a new basis.

The *zone* of the ex-trooper, to use Horace's phrase, was weighty enough to purchase a cottage and two or three fields, (still known by the name of Beersheba,) within about a Scottish mile of Dalkeith; and there did Stephen establish himself with a youthful helpmate, chosen out of

the said village, whose disposition to a comfortable settlement on this side of the grave reconciled her to the gruff manners, serious temper, and weather-beaten features of the martial enthusiast. Stephen did not long survive the falling on "evil days and evil tongues," of which Milton, in the same predicament, so mournfully complains. At his death his consort remained an early widow, with a male child of three years old, which, in the sobriety wherewith it demeaned itself, in the old-fashioned and even grim cast of its features, and in its sententious mode of expressing itself, would sufficiently have vindicated the honour of the widow of Beersheba, had any one thought proper to challenge the babe's descent from Bible Butler.

Butler's principles had not descended to his family, or extended themselves among his neighbours. The air of Scotland was alien to the growth of independence, however favourable to fanaticism under other colours. But, nevertheless, they were not forgotten; and a certain neighbouring laird, who piqued himself upon the loyalty of his principles "in the worst of times," though I never heard they exposed him to more peril than that of a broken head, or a night's lodging in the main guard, when wine and cavalierism predominated in his upper story, had found it a convenient thing to rake up all matter

of accusation against the deceased Stephen. In this enumeration his religious principles made no small figure, as, indeed, they must have seemed of the most exaggerated enormity to one whose own were so small and so faintly traced, as to be well nigh imperceptible. In these circumstances, poor widow Butler was supplied with her full proportion of fines for nonconformity, and all the other oppressions of the time, until Beersheba was fairly wrenched out of her hands, and became the property of the laird who had so wantonly, as it had hitherto appeared, persecuted this poor forlorn woman. When his purpose was fairly achieved, he shewed some remorse or moderation, or whatever the reader may please to term it, in permitting her to occupy her husband's cottage, and cultivate, on no very heavy terms, a croft of land adjacent. Her son, Benjamin, in the meanwhile, grew up to man's estate, and, moved by that impulse which makes men seek marriage, even when its end can only be the perpetuation of misery, he married and brought a wife, and, eventually, a son, Reuben, to share the poverty of Beersheba.

The Laird of Dumbiedikes had hitherto been moderate in his exactions, perhaps because he was ashamed to tax too highly the miserable means of support which remained to the widow

Butler. But when a stout active young fellow appeared as the labourer of the croft in question, Dumbiedikes began to think so broad a pair of shoulders might bear an additional burthen. He regulated, indeed, his management of his dependents (who fortunately were but few in number) much upon the principle of the carters whom he observed loading their carts at a neighbouring coal-hill, and who never failed to clap an additional brace of hundred weights on their burthen, so soon as by any means they had compassed a new horse of somewhat superior strength to that which had broken down the day before. However reasonable this practice appeared to the Laird of Dumbiedikes, he ought to have observed, that it may be overdone, and that it infers, as a matter of course, the destruction and loss of both horse, cart, and loading. Even so it befell when the additional "prestations" came to be demanded of Benjamin Butler. A man of few words, and few ideas, but attached to Beersheba with a feeling like that which a vegetable entertains to the spot in which it chances to be planted, he neither remonstrated with the Laird, nor endeavoured to escape from him, but toiling night and day to accomplish the terms of his task-master, fell into a burning fever and died. His wife did not long survive him, and, as if it had been the fate of this family to be left orphans, our Reuben

Butler was, about the year 1704-5, left in the same circumstances in which his father had been placed, and under the same guardianship, being that of his grandmother, the widow of Monk's old trooper.

The same prospect of misery hung over the head of another tenant of this hard-hearted lord of the soil. This was a tough true-blue Presbyterian, called Deans, who, though most obnoxious to the Laird on account of principles in church and state, contrived to maintain his ground upon the estate by regular payment of mail duties, kain, arriage, carriage, dry multure, lock, gowpen, and knaveship, and all the various exactions now commuted for money, and summed up in the emphatic word RENT. But the years 1700 and 1701, long remembered in Scotland for dearth and general distress, subdued the stout heart of the agricultural whig. Citations by the ground officer, decreets of the Baron Court, sequestrations, poindings of outsize and insight, flew about his ears as fast as ever the tory bullets whistled around those of the Covenanters at Pentland, Bothwell Brigg, or Airdmoss. Struggle as he might, and he struggled gallantly, "Douce David Deans" was routed horse and foot, and lay at the mercy of his grasping landlord just at the time that Benjamin Butler died. The fate of each family was anticipated, but they who pro-

phesied their expulsion to beggary and ruin, were disappointed by an accidental circumstance.

On the very term-day when their ejection should have taken place, when all their neighbours were prepared to pity, and not one to assist them, the minister of the parish, as well as a doctor from Edinburgh, received a hasty summons to attend the Laird of Dumbiedikes. Both were surprised, for his contempt for both faculties had been pretty commonly his theme over an extra bottle, that is to say, at least once every day. The leech for the soul and he for the body alighted in the court of the little old manor-house at almost the same time, and when they had gazed a moment at each other with some surprise, both in the same breath expressed their conviction that Dumbiedikes must needs be very ill indeed, since he summoned them both to his presence at once. Ere the servant could usher them to his apartment the party was augmented by a man of law, Nichil Novit, writing himself procurator before the Sheriff-court, for in those days there were no solicitors. This latter personage was first summoned to the apartment of the Laird, where, after some short space, the soul-curer and the body-curer were invited to join him.

Dumbiedikes had been by this time transported into the best bed-room, used only upon occa-

sions of death and marriage, and called, from the former of these occupations, the Dead Room. There were in this apartment, besides the sick person himself and Mr Novit, the son and heir of the patient, a tall gawky silly-looking boy of fourteen or fifteen, and a housekeeper, a good buxom figure of a woman, betwixt forty and fifty, who had kept the keys and managed matters at Dumbiedikes since the lady's death. It was to these attendants that Dumbiedikes addressed himself pretty nearly in these words; temporal and spiritual matters, the care of his health and his affairs, being strangely jumbled in a head which was never one of the clearest.

«These are sair times wi' me, gentlemen and neighbours! amaist as ill as at the aughty-nine, when I was rabbled by the collegeaners. — They mistook me muckle they ca'd me a papist, but there was never a papist bit about me, minister, — Jock, ye'll take warning — it's a debt we maun a' pay, and there stands Nichil Novit that will tell ye I was never gude at paying debts in my life. — Mr Novit, ye'll no forget to draw the annual rent that's due on the yerl's band — if I pay debt to other folk, I think they suld pay it to me — that equals aquals. — Jock, when ye hae naething else to do, ye may be ay sticking in a tree; it will be growing, Jock, when ye're sleeping. My father tauld me sae forty years

sin', but I ne'er fand time to mind him — Jock, ne'er drink brandy in the morning, it files the stomach sair; gin ye take a morning's draught, let it be aqua mirabilis; Jenny there makes it weel. — Doctor, my breath is growing as scant as a broken-winded piper's, when he has played for four-and-twenty hours at a penny-wedding — Jenny, pit the cod aneath my head — but it's a' needless! — Mass John, could ye think o' rattling ower some bit short prayer, it wad do me gude maybe, and keep some queer thoughts out o' my head — Say something, man."

"I cannot use a prayer like a rat-rhyme," answered the honest clergyman; "and if you would have your soul redeemed like a prey from the fowler, Laird, you must needs shew me your state of mind."

"And shouldna ye ken that without my telling you?" answered the patient. "What have I been paying stipend and teind personage and vicarage for, ever sin' the aughty-nine, an' I canna get a spell of a prayer for't, the only time I ever asked for ane in my life? — Gang awa' wi' your whiggery, if that's a' ye can do; auld Curate Kiltstoup wad hae read half the Prayerbook to me by this time — Awa w'ye! — Doctor, let's see if ye can do ony thing better for me."

The Doctor, who had obtained some information in the meanwhile from the housekeeper on

the state of his complaints, assured him the medical art could not prolong his life many hours.

«Then damn Mass John and you baith!» cried the furious and untractable patient. «Did ye come here for naething but to tell me that ye canna help me at the pinch? Out wi' them, Jenny — out o' the house! and, Jock, my curse, and the curse of Cromwell, go wi' ye, if ye gi'e them either fee or bountith, or sae muckle as a black pair o' cheverons.»

The clergyman and doctor made a speedy retreat out of the apartment, while Dumbiedikes fell into one of those transports of violent and profane language, which had procured him the surname of Damn-me-dikes — «Bring me the brandy bottle, Jenny, ye b — ,» he cried, with a voice in which passion contended with pain. «I can die as I have lived, without fashing ony o' them. But there's ae thing,» he said, sinking his voice — «there's ae fearful thing hings about my heart, and an anker of brandy winna wash it away — The Deans at Woodend! — I sequestered them in the dear years, and now they are to flitt they'll starve — and that Beersheba, and that auld trooper's wife and her oe, they'll starve — they'll starve! — Look out, Jock; what night is't?»

«Onding o' snaw, father,» answered Jock,

after having opened the window, and looked out with great composure.

“They’ll perish in the drifts, said the expiring sinner — “they’ll perish wi’ cauld! — but I’ll be het aneugh, gin a’ tales be true.”

This last observation was made under breath, and in a tone which made the very attorney shudder. He tried his hand at ghostly advice, probably for the first time in his life, and recommended, as an opiate for the agonized conscience of the laird, reparation of the injuries he had done to these distressed families, which, he observed by the way, the civil law called *restitutio in integrum*. But Mammon was struggling with Remorse for retaining his place in a bosom he had so long possessed; and he partly succeeded, as an old tyrant proves often too strong for his insurgent rebels.

“I canna do’t,” he answered, with a voice of despair. “It would kill me to do’t — how can ye bid me pay back siller, when ye ken how I want it? or dispone Beersheba, when it lies sae weel into my ain plaid nuik? Nature made Dumbiedikes and Beersheba to be ae man’s land — She did by ——. Nichil, it wad kill me to part them.”

“But ye maun die whether or no, Laird,” said Mr Novit; “and maybe ye wad die easier

— it's but trying. I'll scroll the disposition in nae time."

"Dinna speak o't, sir, or I'll fling the stoup at your head. — But, Jock, lad, ye see how the warld warstles wi' me on my deathbed — Be kind to the puir creatures the Deanses and the Butlers — be kind to them, Jock. Dinna let the warld get a grip o' ye, Jock — but keep the gear thegither! and whate'er ye do, dispone Beersheba at no rate. Let the creatures stay at a moderate mailing, and hae bite and soup; it will maybe be the better wi' your father whare he's gaun, lad."

After these contradictory instructions, the Laird felt his mind so much at ease that he drank three bumpers of brandy continuously, and "soughed awa," as Jenny expressed it, in an attempt to sing "De'il stick the minister."

His death made a revolution in favour of the distressed families. John Dumbie, now Dumbiedikes, in his own right, seemed to be close and selfish enough; but wanted the grasping spirit and active mind of his father; and his guardian happened to agree with him in opinion, that his father's dying recommendation should be attended to. The tenants, therefore, were not actually turned out of doors among the snow wreaths, and were allowed wherewith to procure butter-milk and pease bannocks, which they eat

under the full force of the original malediction. The cottage of Deans, called Woodend, was not very distant from that at Beersheba. Formerly there had been little intercourse between the families. Deans was a sturdy Scotchman, with all sort of prejudices against the southern and the spawn of the southern. Moreover, Deans was, as we have said, a staunch presbyterian, of the most rigid and unbending adherence to what he conceived to be the only possible straight line, as he was wont to express himself, between right-hand heats and extremes, and lefthand defections; and, therefore, he held in high dread and horror all independents, and whomsoever he supposed allied to them.

But, notwithstanding these national prejudices and religious professions, Deans and the widow Butler were placed in such a situation, as naturally created some intimacy between the families. They had shared a common danger and a mutual deliverance. They needed each other's assistance, like a company, who, crossing a mountain stream, are compelled to cling close together, lest the current should be too powerful for any who are not thus supported.

On nearer acquaintance, too, Deans abated some of his prejudices. He found Mrs Butler, though not thoroughly grounded in the extent and bearing of the real testimony against the de-

fections of the times, had no opinions in favour of the independent party; neither was she an Englishwoman. Therefore, it was to be hoped, that, though she was the widow of an enthusiastic corporal of Cromwell's dragoons, it was possible her grandson might be neither schismatic nor anti-national, two qualities concerning which Goodman Deans had as wholesome a terror as against papists and malignants. Above all, (for Douce Davie Deans had his weak side,) he perceived that widow Butler looked up to him with reverence, listened to his advice, and compounded for an occasional fling at the doctrines of her deceased husband, to which, as we have seen, she was by no means warmly attached, in consideration of the valuable counsels which the presbyterian afforded her for the management of her little farm. These usually concluded with, "they may do otherwise in England, neighbour Butler, for aught I ken;" or, "it may be different in foreign parts," or, "they wha think differently on the great foundation of our covenanted reformation, overturning and misguggling the government and discipline of the kirk, and breaking down the carved work of our Zion, might be for sawing the craft wi' aits; but I say pease, pease." And as his advice was shrewd and sensible, though conceitedly given, it was received with gratitude, and followed, with respect.

The intercourse which took place betwixt the families at Beersheba and Woodend became strict and intimate, at a very early period, betwixt Reuben Butler, with whom the reader is already in some degree acquainted, and Jeanie Deans, the only child of Douce Davie Deans by his first wife, „that singular Christian woman,” as he was wont to express himself, „whose name was savoury to all that knew her for a desirable professor, Christian Menzies in Hochmaagirdle.” The manner of which intimacy, and the consequences thereof, we now proceed to relate.

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CHAPTER IX.

*Reuben and Rachel, though as fond as doves,  
Were yet discreet and cautious in their loves,  
Nor would attend to Cupid's wild commands,  
Till cool reflection bade them join their hands.  
When both were poor, they thought it argued  
ill*

*Of hasty love to make them poorer still.*

CRABBE'S Parish Register.

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**W**HILE widow Butler and widower Deans struggled with poverty, and the hard and sterile soil of those «parts and portions» of the lands of Dumbiedikes which it was their lot to occupy, it became gradually apparent that Deans was to gain the strife, and his ally in the conflict was to lose it. The former was a man, and not much past the prime of life — Mrs Butler a woman,



and declined into the vale of years. This, indeed, ought in time to have been balanced by the circumstance, that Reuben was growing up to assist his grandmother's labours, and that Jeanie Deans, as a girl, could be only supposed to add to her father's burthens. But Douce Davie Deans knew better things, and so schooled and trained the young minion, as he called her, that from the time she could walk, upwards, she was daily employed in some task or other suitable to her age and capacity, a circumstance which, added to her father's daily instructions and lectures, tended to give her mind, even when a child, a grave, serious, firm, and reflecting cast. An uncommonly strong and healthy temperament, free from all nervous affection and every other irregularity, which, attacking the body in its more noble functions, so often influences the mind, tended greatly to establish this firmness, simplicity, and decision of character.

On the other hand, Reuben was weak in constitution, and, though not timid in temper, might be safely pronounced anxious, doubtful, and apprehensive. He partook of the temperament of his mother, who had died of a consumption in early age. He was a pale, thin, feeble, sickly boy, and somewhat lame, from an accident in early youth. He was, besides, the child of a doting grandmother, whose over-



solicitous attention to him soon taught him a sort of diffidence in himself, with a disposition to over-rate his own importance, which is one of the very worst consequences that children deduce from over-indulgence.

Still, however, the two children clung to each other's society, not more from habit than from taste. They herded together the handful of sheep, with the two or three cows, which their parents turned out rather to seek food than actually to feed upon the uninclosed common of Dumbiedikes. It was there that the two urchins might be seen seated beneath a blooming bush of whin, their little round faces laid close together under the shadow of the same plaid drawn over both their heads, while the landscape around was embrowned by an overshadowing cloud, big with the shower which had driven the children to shelter. Upon other occasions they went together to school, the boy receiving that encouragement and example from his companion, in crossing the little brooks which intersected their path, and encountering cattle, dogs, and other perils, upon their journey, which the male sex in such cases usually consider it as their prerogative to extend to the weaker. But when, seated on the benches of the school-house, they began to con their lessons together, Reuben, who was as much superior to Jeanie Deans in acuteness of intel-



lect, as inferior to her in firmness of constitution, and that insensibility to fatigue and danger which depends on the conformation of the nerves, was able fully to requite the kindness and countenance with which, in other circumstances, she used to regard him. He was decidedly the best scholar at the little parish school, and so gentle was his temper and disposition, that he was rather admired than envied by the little mob who occupied the noisy mansion, although he was the declared favourite of the master. Several girls, in particular, (for in Scotland they are taught with the boys,) longed to be kind to, and comfort the sickly lad, who was so much cleverer than his companions. The character of Reuben Butler was so calculated as to offer scope both for their sympathy and their admiration, the feelings, perhaps, through which the female sex (the more deserving part of them at least) is more easily attached.

But Reuben, naturally reserved and distant, improved none of these advantages; and only became more attached to Jeanie Deans, as the enthusiastic approbation of his master assured him of fair prospects in future life, and awakened his ambition. In the mean time, every advance that Reuben made in learning (and, considering his opportunities, they were uncommonly great) rendered him less capable of attend-



ing to the domestic duties of his grandmother's farm. While studying the *pons asinorum* in Euclid, he suffered every *cuddie* upon the common to trespass upon a large field of pease belonging to the Laird, and nothing but the active exertions of Jeanie Deans, with her little dog Dustiefoot, could have saved great loss and consequent punishment. Similar miscarriages marked his progress in his classical studies. He read Virgil's Georgics till he did not know bear from barley; and had nearly destroyed the crofts of Beersheba, while attempting to cultivate them according to the practice of Columella and Cato the Censor.

These blunders occasioned grief to his grand-dame, and disconcerted the good opinion which her neighbour, Davie Deans, had for some time entertained of Reuben.

«I see naething ye can make of that silly callant, neighbour Butler,” said he to the old lady, «unless ye train him to the wark o’ the ministry. And ne’er was there mair need of poorfu’ preachers than e’en now in these cauld Gallio days, when men’s hearts are hardened like the nether millstone, till they come to regard none of these things. It’s evident this puir callant of yours will never be able to do an usefu’ day’s wark, unless it be as an ambassador from our Master, and I will make it my busi-



ness to procure a licence when he is fit for the same, trusting he will be a shaft cleanly polished, and meet to be used in the body of the kirk; and that he shall not turn again, like the sow, to wallow in the mire of heretical extremes and defections, but shall have the wings of a dove, though he hath lain among the pots."

The poor widow gulped down the affront to her husband's principles, implied in this caution, and hastened to take Butler from the High School, and encourage him in the pursuit of mathematics and divinity, the only physics and ethics that chanced to be in fashion at the time.

Jeanie Deans was now compelled to part from the companion of her labour, her study, and her pastime, and it was with more than childish feeling that both children regarded the separation. But they were young, and hope was high, and they separated like those who hope to meet again at a more auspicious hour.

While Reuben Butler was acquiring at the University of St Andrews the knowledge necessary for a clergyman, and macerating his body with the privations which were necessary in seeking food for his mind, his grand-dame became daily less able to struggle with her little farm, and was at length obliged to throw it up to the new Laird of Dumbiedikes. That great personage was no absolute Jew, and did not



cheat her in making the bargain more than was tolerable. He even gave her permission to tenant the house in which she had lived with her husband, as long as it should be «tenantable,” only he protested against paying for a farthing of repairs, any benevolence which he had being of the passive, but by no means of the active mood.

In the meanwhile, from superior shrewdness, skill, and other circumstances, some of them purely accidental, Davie Deans gained a footing in the world, the possession of some wealth, the reputation of more, and a growing disposition to preserve and increase his store; for which, when he thought upon it seriously, he was inclined to blame himself. From his knowledge in agriculture, as it was then practised, he became a sort of favourite with the Laird, who had no pleasure either in active sports or in society, and was wont to end his daily saunter by calling at the cottage of Woodend.

Being a man himself of slow ideas and confused utterance, he used to sit or stand for half an hour with an old laced hat of his father's upon his head, and an empty tobacco-pipe in his mouth, with his eyes following Jeanie Deans, or «the lassie,” as he called her, through the course of her daily domestic labour, while her father, after exhausting the subject of bestial, of ploughs, and of harrows, often took an oppor-



tunity of going full sail into controversial subjects, to which discussions the dignitary listened with much seeming patience, but without making any reply, or, indeed, as most people thought, without understanding a single word of what the orator was saying. Deans, indeed, denied this stoutly, as an insult at once to his own talents for expounding hidden truths, of which he was a little vain, and to the Laird's capacity of understanding them. He said, "Dumbiedikes was nane of these flashy gentles, wi' lace on their skirts and swords at their tails, that were rather for riding on horseback to hell than gaun barefooted to Heaven. He wasna like his father — nae profane company-keeper — nae swearer — nae drinker — nae frequenter of play-house, or music-house, or dancing-house — nae Sabbath-breaker — nae imposer of aiths, or bonds, or denyer of liberty to the flock. — He clave to the world, and the world's gear, a wee ower muckle, but then there was some breathing of a gale upon his spirit," etc. etc. All this honest Davie said and believed.

It is not to be supposed, that, as a father and a man of sense and observation, the constant direction of the Laird's eyes towards Jeanie was altogether unnoticed. This circumstance, however, made a much greater impression upon another member of his family, a second help-



mate, to wit, whom he had chosen to take to his bosom ten years after the death of his first. Some people were of opinion, that Douce Davie had been rather surprised into this step, for in general he was no friend to marriages or giving in marriage, and seemed rather to regard that state of society as a necessary evil, — a thing lawful, and to be tolerated in the imperfect state of our nature, but which clipped the wings with which we ought to soar upwards, and tethered the soul to its mansion of clay, and the creature-comforts of wife and bairns. His own practice, however, had in this material point varied from his principles, since, as we have seen, he twice knitted for himself this dangerous and ensnaring entanglement.

Rebecca, his spouse, had by no means the same horror of matrimony, and as she made marriages in imagination for every neighbour round, she failed not to indicate a match betwixt Dumbiedikes and her step-daughter Jeanie. The goodman used regularly to frown and pshaw whenever this topic was touched upon, but usually ended by taking his bonnet and walking out of the house to conceal a certain gleam of satisfaction, which, at such a suggestion, involuntarily diffused itself over his austere features.

The more youthful part of my readers may naturally ask, whether Jeanie Deans was deserv-



ing of this mute attention of the Laird of Dumbiedikes; and the historian, with due regard to veracity, is compelled to answer, that her personal attractions were of no uncommon description. She was short, and rather too stoutly made for her size, had grey eyes, light coloured hair, a round good-humoured face, much tanned with the sun, and her only peculiar charm was an air of inexpressible serenity, which a good conscience, kind feelings, contented temper, and the regular discharge of all her duties, spread over her features. There was nothing, it may be supposed, very appalling in the form or manners of this rustic heroine; yet, whether from sheepish bashfulness, or from want of decision and imperfect knowledge of his own mind on the subject, the Laird of Dumbiedikes, with his old laced hat and empty tobacco-pipe, came and enjoyed the beatific vision of Jeanie Deans day after day, week after week, year after year, without proposing to accomplish any of the prophecies of the step-mother.

This good lady began to grow doubly impatient on the subject, when, after having been some years married, she herself presented Douce Davie with another daughter, who was named Euphemia, by corruption, Effie. It was then that Rebecca began to turn impatient with the slow pace at which the Laird's wooing pro-



ceeded, judiciously arguing, that, as Lady Dumbiedikes would have but little occasion for tocher, the principal part of her gudemans substance would naturally descend to the child by the second marriage. Other step-dames have tried less laudable means for clearing the way to the succession of their own children; but Rebecca, to do her justice, only sought little Effie's advantage through the promotion, or which must have generally been accounted such, of her elder sister. She therefore tried every female art within the compass of her simple skill, to bring the Laird to a point; but had the mortification to perceive that her efforts, like those of an unskilful angler, only scared the trout she meant to catch. Upon one occasion, in particular, when she joked with the Laird on the propriety of giving a mistress to the house of Dumbiedikes, he was so effectually startled, that neither laced hat, tobacco-pipe, nor the intelligent proprietor of these moveables, visited Woodend for a fortnight. Rebecca was therefore compelled to leave the Laird to proceed at his own snail's pace, convinced, by experience, of the grave-digger's aphorism, that your dull ass will not mend his pace for beating.

Reuben, in the meantime, pursued his studies at the university, supplying his wants by teaching the younger lads the knowledge he himself



acquired, and thus at once gaining the means of maintaining himself at the seat of learning, and fixing in his mind the elements of what he had already obtained. In this manner, as is usual among the poorer students of divinity at Scottish universities, he contrived not only to maintain himself according to his simple wants, but even to send considerable assistance to his sole remaining parent, a sacred duty, of which the Scotch are seldom negligent. His progress in knowledge of a general kind, as well as in the studies proper to his profession, was very considerable, but less marked from the retired modesty of his disposition, which in no respect qualified him to set off his learning to the best advantage. And thus, had Butler been a man given to make complaints, he had his tale to tell, like others, of unjust preferences, bad luck, and hard usage.

He obtained his licence as a preacher of the gospel, with some compliments from the presbytery by whom it was bestowed; but this did not lead to any preferment, and he found it necessary to make the cottage at Beersheba his residence for some months, with no other income than was afforded by the precarious occupation of teaching in one or two neighbouring families. After having greeted his aged grandmother, his first visit was to Woodend, where he was re-



ceived by Jeanie with warm cordiality, arising from recollections which had never been dismissed from her mind, by Rebecca with good-humoured hospitality, and by old Davie in a mode peculiar to himself.

Highly as Douce Deans honoured the clergy, it was not upon each individual of the cloth that he bestowed his approbation; and, a little jealous, perhaps, at seeing his youthful acquaintance erected into the dignity of a teacher and preacher, he instantly attacked him upon various points of controversy, in order to discover whether he might not have fallen into some of the snares, defections, and desertions of the time. Butler was not only a man of staunch presbyterian principles, but was also willig to avoid giving pain to his old friend by disputing upon points of little importance; and therefore he might have hoped to have come like refined gold out of the furnace of Davie's interrogatories. But the result on the mind of that strict investigator was not altogether so favourable as might have been hoped and anticipated. Old Judith Butler, who had hobbled that evening as far as Woodend, in order to enjoy the congratulations of her neighbours upon Reuben's return, and upon his high attainments, of which she was herself not a little proud, was somewhat mortified to find that her old friend Deans did not



enter into the subject with the warmth she expected. At first, indeed, he seemed rather silent than dissatisfied; and it was not till Judith had essayed the subject more than once that it led to the following dialogue.

«Aweel, neibor Deans, I thought ye wad hae been glad to see Reuben amang us again, poor fallow.»

«I *am* glad, Mrs Butler,» was the neighbour's concise answer.

«Since he has lost his grandfather and his father, (praised be Him that giveth and taketh!) I ken nae friend he has in the world that's been sae like a father to him as the sell o' ye, neibor Deans.»

«God is the only father of the fatherless,» said Deans, touching his bonnet and looking upwards. «Give honour where it is due, gudewife, and not to an unworthy instrument.»

«Aweel, that's your way o' turning it, and nae doubt ye ken best; but I hae kenned ye, Davie, send a forpit o' meal to Beersheba when there was na a bow left in the meal-ark at Woodend; ay, and I hae kenned ye» —

«Gudewife,» said Davie, interrupting her, «these are but idle tales to tell me; fit for nae-thing but to puff up our inward man wi' our ain vain acts. I stude beside blessed Alexander Peden, when I heard him call the death and testimony



of our happy martyrs but draps of blude and scarts of ink, and what suld I think of ony thing the like of me can do."

"Weel, neibor Deans, ye ken best; but I maun say that, I am sure you are glad to see my bairn again — the halt's gane now, unless he has to walk ower mony miles at a stretch; and he has a wee bit colour in his cheek, that glads my auld een to see it; and he has as decent a black-coat as the minister, and" —

"I am very heartily glad he is weel and thriving," said Mr Deans, with a gravity that seemed intended to cut short the subject; but a woman who is bent upon a point is not easily pushed aside from it.

"And," continued Mrs Butler, "he can wag his head in a pulpit now, neibor Deans, think but of that — my ain oe — and a body maun sit still and listen to him, as if he were the Paip of Rome."

"The what? — the who? — woman?" said Deans, with a sternness far beyond his usual gravity, as soon as these offensive words had struck upon the tympanum of his ear.

"Eh, guide us!" said the poor woman; I had forgot what an ill will ye had aye at the Paip, and sae had my puir gudeman, Stephen Butler. Mony an afternoon he wad sit and take up his



testimony again the Paip, and again baptizing of bairns, and the like."

"Woman!" reiterated Deans, "either speak about what ye ken something o', or be silent; I say that independency is a foul heresy, and anabaptism a damnable and deceiving error, whilk suld be rooted out of the land wi' the fire o' the spiritual, and the sword o' the civil magistrate."

"Weel, weel, neibor, I'll no say that ye mayna be right. I am sure ye are right about the sawing and the mawing, the sheering and the leading, and what for suld ye no be right about kirkwark, too? — But concerning my oe, Reuben Butler." —

"Reuben Butler, gudewife, is a lad I wish heartily weel to, even as if he were mine ain son — but I doubt there will be outs and ins in the tract of his walk. I muckle fear his gifts will get the heels of his grace. He has ower muckle human wit and learning, and thinks as muckle about the form of the bicker as he does about the healsomeness of the food — he maun broider the marriage-garment with lace and passments, or it's no gude aneugh for him. And it's like he's something proud o' his human gifts and learning, whilk enables him to dress up his doctrine in that fine airy dress. But," added he, at seeing the old woman's uneasiness at his dis-



course, "affliction may gi'e him a jagg, and let the wind out o' him, as out o a cow that's eaten wet clover, and the lad may do weel, and be a burning and a shining light, and I trust it will be your's to see, and his to feel it, and that soon."

Widow Butler was obliged to retire, unable to make any thing more of her neighbour, whose discourse, though she did not comprehend it, filled her with undefined apprehensions on her grandson's account, and greatly depressed the joy with which she had welcomed him on his return. And it must not be concealed, in justice to Mr Deans's discernment, that Butler, in their conference, had made a greater display of his learning than the occasion called for, or than was like to be acceptable to the old gentleman, who, accustomed to consider himself as a person pre-eminently entitled to dictate upon theological subjects of controversy, felt rather humbled and mortified when learned authorities were placed in array against him. In fact, Butler had not escaped the tinge of pedantry which naturally flowed from his education, and was apt, on many occasions, to make parade of his knowledge, when there was no need of such vanity.

Jeanie Deans, however, found no fault with this display of learning, but, on the contrary, admired it; perhaps on the same score that her



sex are said to admire men of courage, on account of their own deficiency in that qualification. The circumstances of their families threw the young people constantly together; their old intimacy was renewed, though upon a footing better adapted to their age; and it became at length understood betwixt them, that their union should be deferred no longer than until Butler should obtain some steady means of support, however humble. This, however, was not a matter speedily to be accomplished. Plan after plan was formed, and plan after plan failed. The good-humoured cheek of Jeanie lost the first flush of juvenile freshness; Reuben's brow assumed the gravity of manhood; yet the means of obtaining a settlement seemed remote as ever. Fortunately for the lovers, their passion was of no ardent or enthusiastic cast, and a sense of duty on both sides induced them to bear, with patient fortitude, the protracted interval which divided them from each other.

In the meanwhile, time did not roll on without effecting his usual changes. The widow of Stephen Butler, so long the prop of the family of Beersheba, was gathered to her fathers and Rebecca, the careful spouse of our friend Davie Deans, was also summoned from her plans of matrimonial and domestic economy. The morning after her death, Reuben Butler went to offer



his mite of consolation to his old friend and benefactor. He witnessed, on this occasion, a remarkable struggle betwixt the force of natural affection, and the religious stoicism, which the sufferer thought it was incumbent upon him to maintain under each earthly dispensation, whether of weal or woe.

On his arrival at the cottage, Jeanie, with her eyes overflowing with tears, pointed to the little orchard, «in which,” she whispered with broken accents, «my poor father has been since his misfortune.” Somewhat alarmed at this account, Butler entered the orchard, and advanced slowly towards his old friend, who, seated in a small rude arbour, appeared to be sunk in the extremity of his affliction. He lifted his eyes somewhat sternly as Butler approached, as if offended at the interruption; but as the young man hesitated whether he ought to retreat or advance, he arose, and came forward to meet him, with a self-possessed, and even dignified air.

«Young man, lay it not to heart, though the righteous perish and the merciful are removed, seeing, it may well be said, that they are taken away from the evils to come. Woe to me, were I to shed a tear for the wife of my bosom, when I might weep rivers of water for this afflicted



Church, cursed as it is with carnal seekers, and with the dead of heart."

"I am happy," said Butler, "that you can forget your private affliction in your regard for public duty."

"Forget, Reuben?" said poor Deans, putting his handkerchief to his eyes, — "She's not to be forgotten on this side of time; but He that gives the wound can send the ointment. I declare there have been times during this night when my meditation has been so wrapt, that I knew not of my heavy loss. It has been with me as with the worthy John Semple, called Carspharn John, upon a like trial, — I have been this night on the banks of Ulai, plucking an apple here and there."

Notwithstanding the assumed fortitude of Deans, which he conceived to be the discharge of a great Christian duty, he had too good a heart not to suffer deeply under this heavy loss. Woodend became altogether distasteful to him; and as he had obtained both substance and experience by his management of that little farm, he resolved to employ them as a dairy farmer, or cow-feeder, as they are called in Scotland. The situation he chose for his new settlement was at a place called Saint Leonard's Crag, lying betwixt Edinburg and the mountain called Arthur's Seat, and adjoining to the extensive



sheep pasture still named the King's Park, from its having been formerly dedicated to the preservation of the royal game. Here he rented a small lonely house, nearly half a mile distant from the nearest point of the city, but the site of which, with all the adjacent ground, is now occupied by the buildings which form the south-eastern suburb. An extensive pasture-ground adjoining, which Deans rented from the Keeper of the Royal Park, enabled him to feed his milk-cows; and the unceasing industry and activity of Jeanie, his eldest daughter, was exerted in making the most of their produce.

She had now less frequent opportunities of seeing Reuben, who had been obliged, after various disappointments, to accept the subordinate situation of assistant in a parochial school of some eminence, at three or four miles distance from the city. Here he distinguished himself, and became acquainted with several respectable burgesses, who, on account of health, or other reasons, chose that their children should commence their education in this little village. His prospects were thus gradually brightening, and upon each visit which he paid at Saint Leonard's he had an opportunity of gliding a hint to this purpose into Jeanie's ear. These visits were necessarily very rare, on account of the demands which the duties of the school made upon But-



ler's time. Nor did he dare to make them even altogether so frequent as these avocations would permit. Deans received him with civility indeed, and even with kindness; but Reuben, as is usual in such cases, imagined that he read his purpose in his eyes, and was afraid too premature an explanation on the subject would draw down his positive disapproval. Upon the whole, therefore, he judged it prudent to call at Saint Leonard's just so frequently as old acquaintance and neighbourhood seemed to authorise, and no oftener. There was another person who was more regular in his visits.

When Davie Deans intimated to the Laird of Dumbiedikes his purpose of «quitting wi' the land and house at Woodend," the Laird stared and said nothing. He made his usual visits at the usual hour without remark, until the day before the term, when, observing the bustle of moving furniture already commenced, the great east-country *awmrie* dragged out of its nook, and standing with its shoulder to the company, like an awkward booby about to leave the room, the Laird again stared mightily, and was heard to ejaculate, «Heh, sirs!" Even after the day of departure was past and gone, the Laird of Dumbiedikes, at his usual hour, which was that at which David Deans was wont to «loose the pleugh," presented himself before the closed door of the



cottage at Woodend, and seemed as much astonished at finding it shut against his approach as if it was not exactly what he had to expect. On this occasion he was heard to ejaculate, «Gude guide us!» which, by those who knew him, was considered as a very unusual mark of emotion. From that moment forward, Dumbiedikes became an altered man, and the regularity of his movements, hitherto so exemplary, was as totally disconcerted as those of a boy's watch when he has broken the main-spring. Like the index of the said watch, did Dumbiedikes spin round the whole bounds of his little property, which may be likened unto the dial of the time-piece, with unwonted velocity. There was not a cottage into which he did not enter, nor scarce a maiden on whom he did not stare. But so it was, that although there were better farm-houses on the land than Woodend, and certainly much prettier girls than Jeanie Deans, yet it did somehow befall that the blank in the Laird's time was not so pleasantly filled up as it had been. There was no seat accommodated him so well as the «bunker» at Woodend, and no face he loved so much to gaze on as Jeanie Deans's. So, after spinning round and round his little orbit, and then remaining stationary for a week, it seems to have occurred to him, that he was not pinned down to circulate on a pivot, like the hands of the watch,



but possessed the power of shifting his central point, and extending his circle if he thought proper. To realize which privilege of change of place, he bought a poney from a Highland drover, and with its assistance and company stepped, or rather stumbled, as far as Saint Leonard's Crag.

Jeanie Deans, though so much accustomed to the Laird's staring that she was sometimes scarce conscious of his presence, had nevertheless some occasional fears lest he should call in the organ of speech to back those expressions of admiration which he bestowed on her through his eyes. Should this happen, farewell, she thought, to all chance of an union with Butler. For her father, however stout-hearted and independent in civil and religious principles, was not without that respect for the laird of the land so deeply imprinted on the Scottish tenantry of the period. Moreover, if he did not positively dislike Butler, yet his fund of carnal learning was often the object of sarcasms on David's part, which were perhaps founded in jealousy, and which certainly indicated no partiality for the party against whom they were launched. And, lastly, the match with Dumbiedikes would have presented irresistible charms to one who used to complain that he felt himself apt to take «ower grit an armfu' o' the warld." So that, upon the whole, the Laird's diurnal visits were disagreeable to Jeanie



from apprehension of future consequences, and it served much to console her, upon removing from the spot where she was bred and born, that she had seen the last of Dumbiedikes, his laced hat, and tobacco-pipe. The poor girl no more expected he could muster courage to follow her to Saint Leonard's Crag, than that any of her apple-trees or cabbages which she had left rooted in the «yard» at Woodend, would spontaneously, and unaided, have undertaken the same journey. It was, therefore, with much more surprise than pleasure that, on the sixth day after their removal to Saint Leonard's, she beheld Dumbiedikes arrive, laced hat, tobacco-pipe, and all, and, with the self same greeting of «How's a' wi' ye, Jeanie? — Whare's the gudeman?» assume as nearly as he could the same position in the cottage at Saint Leonard's which he had so long and so regularly occupied at Woodend. He was no sooner, however, seated, than with an unusual exertion of his powers of conversation, he added, «Jeanie — I say, Jeanie woman,» here he extended his hand towards her shoulder with all the fingers spread out as if to clutch it, but in so bashful and awkward a manner, that when she whisked herself beyond its reach, the paw remained suspended in the air with the palm open, like the claw of a heraldic griffin — «Jeanie,» continued the swain, in this moment of inspira-



tion, — «I say, Jeanie, it's a braw day out bye, and the roads are no that ill for boot-hose.»

«The de'il's in the daidling body,” muttered Jeanie between her teeth; «wha wad hae thought o' his daikering out this length?” And she afterwards confessed that she threw a little of this ungracious sentiment into her accent and manner, for her father being abroad, and the «body,” as she irreverently termed the landed proprietor, «looking unco gleg and canty, she didna ken what he might be coming out wi' next.»

Her frowns, however, acted as a complete sedative, and the Laird relapsed from that day into his former taciturn habits, visiting the cow-feeder's cottage three or four times every week, when the weather permitted, with apparently no other purpose than to stare at Jeanie Deans, while Douce Davie poured forth his eloquence upon the controversies and testimonies of the day.

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## CHAPTER X.

*Her air, her manners, all who saw admired,  
Courteous, though coy, and gentle, though  
retired;*

*The joy of youth and health her eyes display'd,*

*And ease of heart her every look convey'd.*

*CRABBE.*

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THE visits of the Laird thus again sunk into matters of ordinary course, from which nothing was to be expected or apprehended. If a lover could have gained a fair one as a snake is said to fascinate a bird, by pertinaciously gazing on her with great stupid greenish eyes, which began now to be occasionally aided by spectacles, unquestionably Dumbiedikes would have been the person to perform the feat. But the art of fascination seems among the *artes perditae*, and



I cannot learn that this most pertinacious of starers produced any effect by his attentions beyond an occasional yawn.

In the meanwhile, the object of his gaze was gradually attaining the verge of youth, and approaching to what is called in females the middle age, which is impolitely held to begin a few years earlier with their more fragile sex than with men. Many people would have been of opinion, that the Laird would have done better to have transferred his glances to an object possessed of far superior charms to Jeanie's, even when Jeanie's were in their bloom, who began now to be distinguished by all who visited the cottage at St Leonard's Crag.

Effie Deans, under the tender and affectionate care of her sister, had now shot up into a beautiful and blooming girl. Her Grecian-shaped head was profusely rich in waving ringlets of brown hair, which, confined by a blue snood of silk, and shading a laughing Hebe countenance, seemed the picture of health, pleasure, and contentment. Her brown russet short-gown set off a shape, which time, perhaps, might be expected to render too robust, the frequent objection to Scottish beauty, but which, in her present early age, was slender and taper, with that graceful and easy sweep of outline which at once indicates health and beautiful proportion of parts.



These growing charms, in all their juvenile profusion, had no power to shake the stedfast mind, or divert the fixed gaze, of the constant Laird of Dumbiedikes. But there was scarce another eye that could behold this living picture of health and beauty, without pausing on it with pleasure. The traveller stopped his weary horse on the eve of entering the city which was the end of his journey, to gaze at the sylph-like form that tripped by him, with her milk-pail poised on her head, bearing herself so erect, and stepping so light and free under her burthen, that it seemed rather an ornament than an encumbrance. The lads of the neighbouring suburb, who held their evening rendezvous for putting the stone, casting the hammer, playing at long bowls, and other athletic exercises, watched the motions of Effie Deans, and contended with each other which should have the good fortune to attract her attention. Even the rigid presbyterians of her father's persuasion, who held each indulgence of the eye and sense to be a snare at least, if not a crime, were surprised into a moment's delight while gazing on a creature so exquisite, — instantly checked by a sigh, reproaching at once their own weakness, and mourning that a creature so fair should share in the common and hereditary guilt and imperfection of our nature. She was currently entitled the



Lily of St Leonard's, a name which she deserved as much by her guileless purity of thought, speech, and action as by her uncommon loveliness of face and person.

Yet there were points in Effie's character, which gave rise not only to strange doubt and anxiety on the part of Douce David Deans, whose ideas were rigid, as may easily be supposed, upon the subject of youthful amusements, but even of serious apprehension to her more indulgent sister. The children of the Scotch of the inferior classes are usually spoiled by the early indulgence of their parents; how, wherefore, and to what degree, the lively and instructive narrative of the amiable and accomplished authoress of "Glenburnie" \* has saved me and all future scribblers the trouble of recording. Effie had had a double share of this inconsiderate and misjudged kindness. Even the strictness of her father's principles could not condemn the sports of infancy and childhood; and to the good old man, his younger daughter, the child of his old age, seemed a child for some years after she attained the years of womanhood, was still called the "bit lassie" and "little Effie,"

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\* Mrs Elizabeth Hamilton, now no more. — *Editor.*



and was permitted to run up and down uncontrolled, unless upon the Sabbath, or at the times of family worship. Her sister, with all the love and care of a mother, could not be supposed to possess the same authoritative influence, and that which she had hitherto exercised became gradually limited and diminished as Effie's advancing years entitled her, in her own conceit at least, to the right of independence and free agency. With all the innocence and goodness of disposition, therefore, which we have described, the Lily of St Leonard's possessed a little fund of self-conceit and obstinacy, and some warmth and irritability of temper, partly natural perhaps, but certainly much increased by the unrestrained freedom of her childhood. Her character will be best illustrated by a cottage evening scene.

The careful father was absent in his well-stocked byre, foddering those useful and patient animals on whose produce his living depended, the summer evening was beginning to close in, when Jeanie Deans began to be very anxious for the appearance of her sister, and to fear that she would not reach home before her father returned from the labour of the evening, when it was his custom to have "family exercise," and when she knew that Effie's absence would give



him the most serious displeasure. These apprehensions hung heavier upon her mind, because, for several preceding evenings, Effie had disappeared about the same time, and her stay, at first so brief as scarce to be noticed, had been gradually protracted to half an hour, and an hour, and on the present occasion had considerably exceeded even this last limit. And now, Jeanie stood at the door, with her hand before her eyes to avoid the rays of the level sun, and looked alternately along the various tracks which led towards their dwelling, to see if she could descry the nymph-like form of her sister. There was a wall and a stile which separated the royal domain, or King's Park, as it is called, from the public road, to this pass she frequently directed her attention, when she saw two persons appear there somewhat suddenly, as if they had walked close by the side of the wall to screen themselves from observation. One of them, a man, drew back hastily; the other, a female, crossed the stile, and advanced towards her — It was Effie. She met her sister with that affected liveliness of manner, which, in her rank, and sometimes in those above it, females occasionally assume to hide surprise or confusion; and she carolled as she came —



«The elfin knight sate on the brae,  
The broom grows bonnie, the broom grows  
fair;

And by there came lilting a lady so gay,  
And we daurna gang down to the broom nae  
mair.»

«Whisht Effie,” said her sister; «our father’s coming out o’ the byre.” — The damsel stinted in her song. — «Whare hae ye been sae late at e’en?”

«It’s no late, lass,” answered Effie.

«It’s chappit eight on every clock o’ the town, and the sun’s gaun down ahint the Cors-torphine hills — Whare can ye hae been sae late?”

«Nae gate,” answered Effie.

«And wha was that parted wi’ you at the stile?”

«Naebody,” replied Effie once more.

«Nae gate? — Naebody? — I wish it may be a right gate, and a right body, that keeps folk out sae late at e’en, Effie.”

«What needs ye be aye speering then at folk?” retorted Effie. «I’m sure, if ye’ll ask nae questions, I’ll tell ye nae lees. I never ask what brings the Laird of Dumbiedikes glowering here



like a wull-cat, (only his een's greener, and no sae gleg,) day after day, till we are a' like to gaunt our chafts aff."

"Because ye ken very weel he comes to see our father," said Jeanie, in answer to this pert remark.

"And Dominie Butler, — Does he come to see my father, that's sae taen wi' his Latin words?" said Effie, delighted to find that, by carrying the war into the enemy's country, she could divert the threatened attack upon herself, and with the petulance of youth she pursued her triumph over her prudential elder sister. She looked at her with a sly air, in which there was something like irony, as she chaunted, in a low but marked tone, a scrap of an old Scotch song —

"Through the kirk-yard  
I met wi' the Laird,  
The silly pair body he said me nae harm;  
But just ere 'twas dark  
I met wi' the clerk" —

Here the songstress stopped, looked full at her sister, and, observing the tear gather in her eyes, she suddenly flung her arms round her neck, and kissed them away. Jeanie, though hurt and displeased, was unable to resist the caresses of this untaught child of nature, whose



good and evil seemed to flow rather from impulse than from reflection. But as she returned the sisterly kiss, in token of perfect reconciliation, she could not suppress the gentle reproof — «Effie, if ye will learn fule sangs, ye might make a kinder use of them.»

«And so I might, Jeanie,» continued the girl, clinging to her sister's neck; «and I wish I had never learned ane o' them — and I wish we had never come here — and I wish my tongue had been blistered or I had vexed ye.»

«Never mind that, Effie,» replied the affectionate sister; «I canna be muckle vexed wi' ony thing ye say to me — but O dinna vex our father!»

«I will not — I will not,» replied Effie; «and if there were as mony dances the morn's night as there are merry dancers in the north firmament on a frosty e'en, I winna budge an inch to gang near ane o' them.»

«Dance?» echoed Jeanie Deans in astonishment. «O, Effie, what could take ye to a dance?»

It is very possible, that, in the communicative mood into which the Lily of St Leonard's was now surprised, she might have given her sister her unreserved confidence, and saved me the pain of telling a melancholy tale; but at the moment the word dance was uttered, it reached



the ear of old David Deans, who had turned the corner of the house, and came upon his daughters ere they were aware of his presence. The word *prelate*, or even the word *pope*, could hardly have produced so appalling an effect upon David's ear; for, of all exercises, that of dancing, which he termed a voluntary and regular fit of distraction, he deemed most destructive of serious thoughts, and the readiest inlet to all sort of licentiousness; and he accounted the encouraging and even permitting, assemblies or meetings, whether among those of high or low degree, for this fantastic and absurd purpose, or for that of dramatic representations, as one of the most flagrant proofs of defection and causes of wrath. The pronouncing of the word *dance* by his own daughters, and at his own door, now drove him beyond the verge of patience. «Dance!» he exclaimed. «Dance? — dance, said ye? I daur ye, limmers that ye are, to name sic a word at my door-cheek! It's a dissolute profane pastime, practised by the Israelites only at their base and brutal worship of the Golden Calf at Bethel, and by the unhappy lass wha danced aff the head of John the Baptist, upon whilk chapter I will exercise this night for your farther instruction, since ye need it sae muckle, nothing doubting that she has cause to rue the day, lang or this time that ere she suld hae shook a limb on



sic an errand. Better for her to hae been born a cripple, and carried frae door to door, like auld Bessie Bowie, begging bawbees, than to be a king's daughter, fiddling and flinging the gate she did. I hae often wondered that ony ane that ever bent a knee for the right purpose, should ever daur to crook a hough to fyke and fling at piper's wind and fiddler's squealing. And I bless God, (with that singular worthy, Peter Walker the packman at Bristo-Port,) that ordered my lot in my dancing days, so that fear of my head and throat, dread of bloody rope and swift bullet, and trenchant swords and pain of boots and thumkins, cauld and hunger, wetness and weariness, stopped the lightness of my head, and the wantonness of my feet. And now if I hear ye, quean lassies, sae muckle as name dancing, or think there's sic a thing in this world as flinging to fiddler's sounds and piper's springs, as sure as my father's spirit is with the just, ye shall be no more either charge or concern of mine! Gang in, then — gang in, then, hinnies," he added, in a softer tone, for the tears of both daughters, but especially those of Effie, began to flow very fast, — Gang in, dears, and we'll seek grace to preserve us frae all manner of profane folly, whilk causeth to sin, and promoteth the kingdom of darkness, warring with the kingdom of light."



The objurgation of David Deans, however well meant, was unhappily timed. It created a division of feelings in Effie's bosom, and deterred her from her intended confidence in her sister. "She wad haud me nae better than the dirt below her feet," said Effie to herself, "were I to confess I hae danced wi' him four times on the green down bye, and ance at Maggie Macqueen's; and she'll maybe hing it ower my head that she'll tell my father, and then she wad be mistress and mair. But I'll no gang back there again. I'm resolved I'll no gang back. I'll lay in a leaf of my Bible, and that's very near as if I had made an aith, that I winna gang back." And she kept her vow for a week, during which she was unusually cross and fretful, blemishes which had never before been observed in her temper, except during a moment of contradiction.

There was something in all this so mysterious as considerably to alarm the prudent and affectionate Jeanie, the more so as she judged it unkind to her sister to mention to their father grounds of anxiety which might arise from her own imagination. Besides, her respect for the good old man did not prevent her from being aware that he was both hot-tempered and positive, and she sometimes suspected that he carried his dislike to youthful amusements beyond the verge that religion and reason demanded.



Jeanie had sense enough to see that a sudden and severe curb upon her sister's hitherto unrestrained freedom might be rather productive of harm than good, and that Effie, in the headstrong wilfulness of youth, was likely to make what might be overstrained in her father's precepts an excuse to herself for neglecting them altogether. In the higher classes, a damsel, however giddy, is still under the dominion of etiquette, and subject to the surveillance of mammas and chaperones; but the country girl, who snatches her moment of gaiety during the intervals of labour, is under no such guardianship or restraint, and her amusement becomes so much the more hazardous. Jeanie saw all this with much distress of mind, when a circumstance occurred which appeared calculated to relieve her anxiety.

Mrs Saddletree, with whom our readers have already been made acquainted, chanced to be a distant relation of Douce David Deans, and as she was a woman orderly in her life and conversation, and, moreover, of good substance, a sort of acquaintance was formally kept up between the families. Now, this careful dame, about a year and a half before our story commenced, chanced to need in the line of her profession a better sort of servant, or rather shopwoman. "Mr. Saddletree," she said, "was never



in the shop when he could get his nose within the Parliament-House, and it was an awkward thing for a woman-body to be standing among bundles o' barked leather her lane, selling saddles and bridles; and she had cast her eyes upon her far awa' cousin Effie Deans, as just the very sort of lassie she would want to keep her in countenance on such occasions."

In this proposal there was much that pleased old David, — there was bed, board, and bounteth — it was a decent situation the lassie would be under Mrs Saddletree's eye, who had an upright walk, and lived close by the Tolbooth Kirk, in which might still be heard the comforting doctrines of one of those few ministers of the Kirk of Scotland who had not bent the knee unto Baal, according to David's expression, or become accessory to the course of national defections, — union, toleration, patronages, and a bundle of prelatical Erastian oaths which had been imposed on the church since the Revolution, and particularly in the reign of "the late woman," (as he called Queen Anne,) the last of that unhappy race of Stuarts. In the good man's security concerning the soundness of the theological doctrine which his daughter was to hear, he was nothing disturbed on account of the snares of a different kind, to which a creature so beautiful, young, and wilful, might be exposed in the centre of a popu-



lous and corrupted city. The fact is, that he thought with so much horror on all approaches to irregularities of the nature most to be dreaded in such cases, that he would as soon have suspected and guarded against Effie's being induced to become guilty of the crime of murder. He only regretted that she should live under the same roof with such a worldly-wise man as Bartoline Saddletree, whom David never suspected of being an ass, but considered as endowed with all the legal knowledge to which he made pretension, and only liked him the worse for possessing it. The lawyers, especially those amongst them who sate as ruling elders in the General Assembly of the Kirk, had been forward in promoting the measures of patronage, of the abjuration oath, and others, which, in the opinion of David Deans, were a breaking down of the carved work of the sanctuary, and an intrusion upon the liberties of the kirk. Upon the dangers of listening to the doctrines of a legalized formalist, such as Saddletree, David gave his daughter many lectures; so much so, that he had time to touch but slightly on the dangers of chambering, company-keeping, and promiscuous dancing, to which, at her time of life, most people would have thought Effie more exposed, than to the risk of theoretical error in her religious faith.

Jeanie parted with her sister, with a mixed



feeling of regret, and apprehension, and hope. She could not be so confident concerning Effie's prudence as her father, for she had observed her more narrowly, had more sympathy with her feelings, and could better estimate the temptations to which she was exposed. On the other hand, Mrs Saddletree was an observing, shrewd, notable woman, entitled to exercise over Effie the full authority of a mistress, and likely to do so strictly, yet with kindness. Her removal to Saddletree's, it was most probable, would also serve to break off some idle acquaintances, which Jeanie suspected her sister to have formed in the neighbouring suburb. Upon the whole, then, she viewed her removal from Saint Leonard's with pleasure, and it was not until the very moment of their parting for the first time in their lives, that she felt the full force of sisterly sorrow. While they repeatedly kissed each other's cheeks, and wrung each other's hands, Jeanie took that moment of affectionate sympathy, to press upon her sister the necessity of the utmost caution in her conduct while residing in Edinburgh. Effie listened, without once raising her large dark eye-lashes, from which the drops fell so fast as almost to resemble a fountain. At the conclusion she sobbed again, kissed her sister, and promised to recollect all the good counsel she had given her, and they parted.



The first week or two, Effie was all that her kinswoman expected, and even more. But with time there came a relaxation of that early zeal which she manifested in Mrs Saddletree's service. To borrow once again from the poet, who so correctly and beautifully describes living manners, —

«Something there was, what, none presumed  
to say, —

Clouds lightly passing on a summer's day;  
Whispers and hints, which went from ear to ear,  
And mixed reports no judge on earth could  
clear.»

During this interval, Mrs Saddletree was sometimes displeased by Effie's lingering, when she was sent upon errands about the shop business, and sometimes by a little degree of impatience which she manifested at being rebuked on such occasions. But she good-naturedly allowed, that the first was very natural to a girl to whom every thing in Edinburgh was new, and the other was only the petulance of a spoiled child, when subjected to the yoke of domestic discipline for the first time. Attention and submission could not be learned at once — Holy-Rood was not built in a day — use would make perfect.

It seemed as if the considerate old lady had presaged truly. Ere many months had passed,



Effie became almost wedded to her duties, though she no longer discharged them with the laughing cheek and light step, which at first had attracted every customer. Her mistress sometimes observed her in tears, but they were signs of secret sorrow, which she concealed as often as she saw them attract notice. Time wore on, her cheek grew pale, and her step heavy. The cause of these changes could not have escaped the matronly eye of Mrs Saddletree, but she was chiefly confined by indisposition to her bed-room for several months during the latter part of Effie's service. This interval was marked by symptoms of anguish almost amounting to despair. The utmost efforts of the poor girl to command her fits of hysterical agony were often totally unavailing, and the mistakes which she made in the shop the while were so numerous and so provoking, that Bartoline Saddletree, who, during his wife's illness, was obliged to take closer charge of the business than consisted with his study of the weightier matters of the law, lost all patience with the girl, who, in his law Latin, and without much respect to gender, he declared ought to be cognosced by inquest of a jury, as *fatuus*, *furiosus*, and *naturaliter idiota*. Neighbours, also, and fellow-servants, remarked, with malicious curiosity or degrading pity, the disfigured shape, loose dress, and pale cheeks of the once



beautiful and still interesting girl. But to no one would she grant her confidence, answering all taunts with bitter sarcasm, and all serious expostulation with sullen denial, or with floods of tears.

At length, when Mrs Saddletree's recovery was likely to permit her wonted attention to the regulation of her household, Effie Deans, as if unwilling to face an investigation made by the authority of her mistress, asked permission of Bartoline to go home for a week or two, assigning indisposition, and the wish of trying the benefit of repose and the change of air, as the motives of her request. Sharp eyed as a lynx (or conceiving himself to be so) in the nice sharp quillits of legal discussion, Bartoline was as dull at drawing inferences from the occurrences of common life as any Dutch professor of mathematics. He suffered Effie to depart without much suspicion, and without any enquiry.

It was afterwards found that a period of a week intervened betwixt her leaving her master's house and arriving at St Leonard's. She made her appearance before her sister in a state rather resembling the spectre than the living substance of the gay and beautiful girl, who had left her father's cottage for the first time scarce seventeen months before. The lingering illness of her mistress had, for the last few months,



given her a plea for confining herself entirely to the dusky precincts of the shop in the Lawn-market, and Jeanie was so much occupied, during the same period, with the concerns of her father's household, that she had rarely found leisure for a walk into the city, and a brief and hurried visit to her sister. The young women, therefore, had scarcely seen each other for several months, nor had a single scandalous surmise reached the ears of the secluded inhabitants of the cottage at St Leonard's. Jeanie, therefore, terrified to death at her sister's appearance, at first overwhelmed her with enquiries, to which the unfortunate young woman returned for a time incoherent and rambling answers, and finally fell into a hysterical fit. Rendered too certain of her sister's misfortune, Jeanie had now the dreadful alternative of communicating her ruin to her father, or of endeavouring to conceal it from him. To all questions concerning the name or rank of her seducer, and the fate of the being to whom her fall had given birth, Effie remained mute as the grave, to which she seemed hastening; and indeed the least allusion to either seemed to drive her to distraction. Her sister, in distress and in despair, was about to repair to Mrs Saddletree to consult her experience, and at the same time to obtain what lights she could upon this most unhappy affair, when she was



saved that pains by a new stroke of fate, which seemed to carry misfortune to the uttermost.

David Deans had been alarmed at the state of health in which his daughter had returned to her paternal residence; but Jeanie had contrived to divert him from particular and specific enquiry. It was, therefore, like a clap of thunder to the poor old man, when, just as the hour of noon had brought the visit of the Laird of Dumbiedikes as usual, other and sterner, as well as most unexpected guests, arrived at the cottage of St Leonard's. These were the officers of justice, with a warrant of justiciary to search for and apprehend Euphemia, or Effie, Deans, accused of the crime of child-murder. The stunning weight of a blow so totally unexpected bore down the old man, who had in his early youth resisted the brow of military and civil tyranny, though backed with swords and guns, tortures and gibbets. He fell extended and senseless upon his own hearth; and the men, happy to escape from the scene of his awakening, raised, with rude humanity, the object of their warrant from her bed, and placed her in a coach, which they had brought with them. The hasty remedies which Jeanie had applied to bring back her father's senses were scarce begun to operate, when the noise of the wheels in motion recalled her attention to her miserable sister. To run



shrieking after the carriage was the first vain effort of her distraction, but she was stopped by one or two female neighbours, assembled by the extraordinary appearance of a coach in that sequestered place, who almost forced her back to her father's house. The deep and sympathetic affliction of these poor people, by whom the little family at St Leonard's were held in high regard, filled the house with lamentation. Even Dumbiedikes was moved from his wonted apathy, and, groping for his purse as he spoke, ejaculated, „Jeanie woman — Jeanie woman! dinna greet — it's sad wark but siller will help it;” and he drew out his purse as he spoke.

The old man had now raised himself from the ground, and, looking about him as if he missed something, seemed gradually to recover the sense of his wretchedness. „Where,” he said, with a voice that made the roof ring, „where is the vile harlot, that has disgraced the blood of an honest man? — Where is she, that has no place among us, but has come foul with her sins, like the Evil One, among the children of God? — Where is she, Jeanie? — Bring her before me, that I may kill her with a word and a look.”

All hastened around him with their appropriate sources of consolation — the Laird with his purse, Jeanie with burnt feathers and strong



waters, and the women with their exhortations. «O neighbour — O, Mr Deans, it's a sair trial, doubtless — but think of the Rock of Ages, neighbour — think of the promise!»

«And I do think of it, neighbours — and I bless God that I can think of it, even in the wrack and ruin of a' that's nearest and dearest to me — But to be the father of a cast-away — a profligate — a bloody Zipporah — a mere murderess! — O, how will the wicked exult in the high places of their wickedness! — the prelatists, and the latitudinarians, and the hand-waled murderers, whose hands are hard as horn wi' hauding the slaughter-weapons — they will push out the lip, and say that we are even such as themselves. Sair, sair I am grieved, neighbours, for the poor cast-away — for the child of mine own old age — but sairer for the stumbling-block and scandal it will be to all tender and honest souls!»

«Davie — winna siller do't?» insinuated the Laird, still proffering his green purse, which was full of guineas.

«I tell ye, Dumbiedikes,” said Deans, «that if telling down my haill substance could hae saved her frae this black snare, I wad hae walked out wi' naething but my bonnet and my staff to beg an awmous for God's sake, and ca'd mysell an happy man — But if a dollar, or a plack, or the nineteenth part of a boddle, wad



save her open guilt and open shame frae open punishment, that purchase wad David Deans never make! — Na, na — an eye for an eye, a tooth for a tooth, life for life, blood for blood — it's the law of man and it's the law of God. — Leave me, sirs — leave me — I maun warstle wi' this trial in privacy and on my knees.”

Jeanie, now in some degree restored to the power of thought, joined in the same request. The next day found the father and daughter still in the depth of affliction, but the father sternly supporting his load of ill through a proud sense of religious duty, and the daughter anxiously suppressing her own feelings to avoid again awakening his. Thus was it with the afflicted family until the morning after Porteous's death, a period at which we are now arrived.



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## CHAPTER XI.

*Is all the counsel that we two have shared,  
The sisters' vows, the hours that we have spent  
When we have chid the hasty-footed time  
For parting us — Oh! and is all forgot?*

### *Midsummer Night's Dream.*

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WE have been a long while in conducting Butler to the door of the cottage at St Leonard's; yet the space which we have occupied in the preceding narrative does not exceed in length that which he actually spent on Salisbury Crags upon the morning which succeeded the execution done upon Porteous by the rioters. For this delay he had his own motives. He wished to collect his thoughts, strangely agitated as they were, first by the melancholy news of Effie Deans's situation, and afterwards by the frightful scene which he had witnessed. In the situation



also in which he stood with respect to Jeanie and her father, some ceremony, at least some choice of fitting time and season, was necessary to wait upon them. Eight in the morning was then the ordinary hour for breakfast, and he resolved that it should arrive before he made his appearance in their cottage.

Never did hours pass so heavily. Butler shifted his place, and enlarged his circle to while away the time, and heard the huge bell of St Giles's toll each successive hour in swelling tones, which were instantly attested by those of the other steeples in succession. He had heard seven struck in this manner, when he began to think he might venture to approach nearer to St Leonard's, from which he was still a mile distant. Accordingly he descended from his lofty station as low as the bottom of the valley which divides Salisbury Crags from those small rocks which take their name from Saint Leonard. It is, as many of my readers may know, a deep, wild, grassy valley, scattered with huge rocks and fragments which have descended from the cliffs and steep ascent to the east.

This sequestered dell, as well as other places of the open pasturage of the King's Park, was, about this time, often the resort of the gallants of the time who had affairs of honour to discuss with the sword. Duels were then very common



in Scotland, for the gentry were at once idle, haughty, fierce, and addicted to intemperance, so that there lacked neither provocation, nor inclination to resent it when given; and the sword, which was part of every gentleman's dress, was the only weapon used for the decision of such differences. When, therefore, Butler observed a young man, skulking, apparently to avoid observation, among the scattered rocks at some distance from the footpath, he was naturally led to suppose that he had sought this lonely spot upon that evil errand. He was so strongly impressed with this, that, notwithstanding his own distress of mind, he could not, according to his sense of duty as a clergyman, pass this person without speaking to him. There are times, thought he to himself, when the slightest interference may avert a great calamity — when a word spoken in season may do more for prevention than the eloquence of Tully could do for remedying evil — And for my own griefs, be they as they may, I shall feel them the lighter, if they divert me not from the prosecution of my duty.

Thus thinking and feeling, he quitted the ordinary path, and advanced nearer the object he had noticed. The man at first directed his course toward the hill, in order, as it appeared, to avoid him; but when he saw that Butler seemed disposed to follow him, he adjusted his



hat fiercely, turned round, and came forward, as if to meet and defy scrutiny.

Butler had an opportunity of accurately studying his features as they advanced slowly to meet each other. The stranger seemed about twenty-five years old. His dress was of a kind which could hardly be said to indicate his rank with certainty, for it was such as young gentlemen sometimes wore while on active exercise in the morning, and which, therefore, was imitated by those of the inferior ranks, as young clerks and tradesmen, because its cheapness rendered it attainable, while it approached more nearly to the apparel of youths of fashion than any other which the manners of the times permitted them to wear. If his air and manner could be trusted, however, this person seemed rather to be dressed under than above his rank; for his carriage was bold and somewhat supercilious, his step easy and free, his manner daring and unconstrained. His stature was of the middle size, or rather above it, his limbs well-proportioned, yet not so strong as to infer the reproach of clumsiness. His features were uncommonly handsome, and all about him would have been interesting and prepossessing, but for that indescribable expression which habitual dissipation gives to the countenance, joined with a certain audacity in voice and manner, of that kind which is



often assumed as a mask for confusion and apprehension.

Butler and the stranger met — surveyed each other — when, as the latter, slightly touching his hat, was about to pass by him, Butler, while he returned the salutation, observed, “A fine morning, sir — You are on the hill early.”

“I have business here,” said the young man, in a tone meant to repress further enquiry.

“I do not doubt it, sir,” said Butler. “I trust you will forgive my hoping that it is of a lawful kind?”

“Sir,” said the other, with marked surprise, “I never forgive impertinence, nor can I conceive what title you have to hope any thing about what no way concerns you.”

“I am a soldier, sir,” said Butler, “and have a charge to arrest evil-doers in the name of my Master.”

“A soldier?” said the young man, stepping back, and fiercely laying his hand on his sword — “A soldier, and arrest me? Did you reckon what your life was worth before you took the commission upon you?”

“You mistake me, sir,” said Butler gravely; “neither my warfare nor my warrant are of this world — I am a preacher of the gospel, and have power, in my Master’s name, to command



the peace upon earth and good will towards men, which was proclaimed with the gospel."

"A minister!" said the stranger, carelessly, and with an expression approaching to scorn. "I know the gentlemen of your cloth in Scotland claim a strange right of intermeddling with men's private affairs. But I have been abroad, and know better than to be priest-ridden."

"Sir, if it be true that any of my cloth, or, it might be more decently said, of my calling, interfere with men's private affairs, for the gratification either of idle curiosity, or for worse motives, you cannot have learned a better lesson abroad than to condemn such practices. But, in my Master's work, I am called to be busy in season and out of season, and, conscious as I am of a pure motive, it were better for me to incur your contempt for speaking, than the correction of my own conscience for being silent."

"In the name of the devil," said the young man impatiently, "say what you have to say, then; though whom you take me for, or what earthly concern you can have with me, a stranger to you, or with my actions and motives, of which you can know nothing, I cannot conjecture for an instant."

"You are about," said Butler, "to violate one of your country's wisest laws — you are about, which is much more dreadful, to violate a law,



which God himself has implanted within our nature, and written, as it were, in the table of our hearts, to which every thrill of our nerves is responsive."

"And what is the law you speak of?" said the stranger, in a hollow and somewhat disturbed accent.

"Thou shalt do no MURDER," said Butler, with a deep and solemn voice.

The young man visibly started, and looked considerably appalled. Butler perceived he had made a favourable impression, and resolved to follow it up. "Think," he said, young man," laying his hand kindly upon the strangers shoulder, "what an awful alternative you voluntarily chuse for yourself, to kill or be killed. Think what it is to rush uncalled into the presence of an offended Deity, your heart fermenting with evil passions, your hand hot from the steel you had been urging, with your best skill and malice, against the breast of a fellow-creature. Or, suppose yourself the scarce less wretched survivor, with the guilt of Cain, the first murderer, in your heart, with his stamp upon your brows — that stamp, which struck all who gazed on him with unutterable horror, and by which the murderer is made manifest to all who look upon him. Think —"

The stranger gradually withdrew himself from



under the hand of his monitor; and, pulling his hat over his brows, thus interrupted him. "Your meaning, sir, I dare say, is excellent, but you are throwing your advice away. I am not in this place with violent intentions against any one. I may be bad enough — you priests say all men are so — but I am here for the purpose of saving life, not of taking it away. If you wish to spend your time rather in doing a good action than in talking about you know not what, I will give you an opportunity. Do you see yonder crag to the right, over which appears the chimney of a lone house? Go thither, enquire for one Jeanie Deans, the daughter of the goodman; let her know that he she wots of remained here from day-break till this hour, expecting to see her, and that he can abide no longer. Tell her, she *must* meet me at the Hunter's Bog to night, as the moon rises behind St Anthony's Hill, or that she will make a desperate man of me."

"Who, or what are you," replied Butler, exceedingly and most unpleasantly surprised, "who charge me with such an errand?"

"I am the devil!" — answered the young man hastily.

Butler stepped instinctively back, and commended himself internally to Heaven; for, though a wise and strong-minded man, he was neither



wiser nor more strong-minded than those of his age and education, with whom, to disbelieve witchcraft or spectres, was held an undeniable proof or atheism.

The stranger went on without observing his emotion. «Yes, call me Apollyon, Abaddon, whatever name you shall chuse, as a clergyman acquainted with the upper and lower circles of spiritual denomination, to call me by, you shall not find an appellation more odious to him that bears it, than is mine own.»

This sentence was spoken with the bitterness of self-upbraiding, and a contortion of visage absolutely demoniacal. Butler, though a stout-hearted man, was overawed; for intensity of mental distress has in it a sort of sublimity which repels and overawes all men, but especially those of kind and sympathetic dispositions. The stranger turned abruptly from Butler as he spoke, but instantly returned, and, coming up to him closely and boldly, said, in a fierce determined tone, «I have told you who and what I am — who, and what are you? What is your name?»

«Butler,» answered the person to whom this abrupt question was addressed, surprised into answering it by the sudden and fierce manner of the querist — «Reuben Butler, a preacher of the gospel.»



At this answer, the stranger again plucked more deep over his brows the hat which he had thrown back in his former agitation, «Butler!» he repeated, — «the assistant of the schoolmaster at Libberton?»

«The same,» answered Butler composedly.

The stranger covered his face with his hand, as if on sudden reflection, and then turned away, but stopped when he had walked a few paces; and seeing Butler follow him with his eyes, called out in a stern yet suppressed tone, just as if he had exactly calculated that his accents should not be heard a yard beyond the spot on which Butler stood. «Go your way, and do mine errand. Do not look after me. I will neither descend through the bowels of these rocks, nor vanish in a flash of fire; and yet the eye that seeks to trace my motions shall have reason to curse it was ever shrouded by eye-lid or eye-lash. Begone, and look not behind you. Tell Jeanie Deans, that when the moon rises I shall expect to meet her at Nicol Muschat's Cairn, beneath Saint Anthony's Chapel.»

As he uttered these words, he turned and took the road against the hill, with a haste that seemed as peremptory as his tone of authority.

Dreading he knew not what of additional misery to a lot which seemed little capable of receiving augmentation, and desperate at the idea



that any living man should dare to send so extraordinary a request, couched in terms so peremptory, to the half-betrothed object of his early and only affection, Butler strode hastily toward the cottage, in order to ascertain how far this daring and rude gallant was actually entitled to press on Jeanie Deans a request which no prudent, and scarce any modest young woman was likely to comply with.

Butler was by nature neither jealous nor superstitious; yet the feelings which lead to those moods of the mind were rooted in his heart, as a portion derived from the common stock of humanity. It was maddening to think that a profligate gallant, such as the manner and tone of the stranger evinced him to be, should have it in his power to command forth his future bride and plighted true love, at a place so improper, and an hour so unseasonable. Yet the tone in which the stranger spoke had nothing of the soft half-breathed voice proper to the seducer who solicits an assignation; it was bold, fierce, and imperative, and had less of love in it than of menace and intimidation.

The suggestions of superstition seemed more plausible, had Butler's mind been very accessible to them. "Was this indeed the Roaring Lion, who goeth about seeking whom he may devour?" This was a question which pressed itself on But-



ler's mind with an earnestness that cannot be conceived by those who live in the present day. The fiery eye, the abrupt demeanour, the occasionally harsh, yet studiously subdued tone of voice, — the features, whose perfect beauty was now clouded with pride, now disturbed by suspicion, now inflamed with passion — those dark hazel eyes which he sometimes shaded with his cap, as if he were averse to have them seen while they were occupied with keenly observing the motions and bearing of others — those eyes that were now turbid with melancholy, now gleaming with scorn, and now sparkling with fury — was it the passions of a mere mortal they expressed, or the emotions of a fiend, who seeks, and seeks in vain, to conceal his fiendish designs under the borrowed mask of manly beauty? The whole partook of the mien, language, and port of the archangel; and, imperfectly as we have been able to describe it, the effect of the interview upon Butler's nerves, shaken as they were at the time by the horrors of the preceding night, were greater than his understanding warranted, or his pride cared to submit to. The very place where he had met this singular person was desecrated, as it were, and unhallowed, owing to many violent deaths, both in duels and by suicide, which had in former times taken place there; and the place



which he had named as a rendezvous at so late an hour, was held in general to be accursed, from a frightful and cruel murder which had been there committed by the wretch from whom the place took its name, upon the person of his own wife. It was in such places, according to the belief of that period, (when the laws against witchcraft were still in fresh observance, and had even lately been acted upon,) that evil spirits had power to make themselves visible to human eyes, and to practise upon the feelings and senses of mankind. Suspicions, founded on such circumstances, rushed on Butler's mind, unprepared as it was, by any previous course of reasoning, to deny that which all of his time, country, and profession, believed; but common sense rejected these vain ideas as inconsistent, if not with possibility, at least with the general rules by which the universe is governed, — a deviation from which, as Butler well argued with himself, ought not to be admitted as probable upon any but the plainest and most incontrovertible evidence. An earthly lover, however, or a young man, who, from whatever cause, had the right of exercising such summary and unceremonious authority over the object of his long-settled, and apparently sincerely returned affection, was an object scarce less appalling to his mind, than those which superstition suggested.



His limbs exhausted with fatigue, his mind harassed with anxiety, and with painful doubts and recollections, Butler dragged himself up the ascent from the valley to Saint Leonard's Crag, and presented himself at the door of Deans's habitation, with feelings much akin to the miserable reflections and fears of its inhabitants.

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## CHAPTER XII.

*Then she stretched out her lily hand,  
And for to do her best;  
"Hae back thy faith and troth, Willie,  
God gi'e thy soul good rest."*

*Old Ballad.*

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„COME in,” answered the low and sweet-toned voice he loved best to hear, as Butler tapped at the door of the cottage. He lifted the latch, and found himself under the roof of affliction. Jeanie was unable to trust herself with more than one glance toward her lover, whom she now met under circumstances so agonizing to her feelings, and at the same time so humbling to her honest pride. It is well known, that much, both of what is good and bad in the Scottish national character, arises out of the intimacy of their family connections. „To be come of honest folk,” that is, of people who have borne a fair and un-



stained character, is an advantage as highly prized amongst the lower Scotch, as the emphatic counterpart, "to be of a good family," is valued among their gentry. The worth and respectability of one member of a peasant's family is always accounted by themselves and others, not only a matter of honest pride, but a guarantee for the good conduct of the whole. On the contrary, such a melancholy stain as was now flung on one of the children of Deans, extended its disgrace to all connected with him, and Jeanie felt herself lowered at once, in her own eyes, and in those of her lover. It was in vain that she repressed this feeling, as far subordinate and too selfish to be mingled with her sorrow for her sister's calamity. Nature prevailed; and while she shed tears for her sister's distress and danger, there mingled with them bitter drops of grief for her own degradation.

As Butler entered, the old man was seated by the fire with his well-worn pocket Bible in his hands, the companion of the wanderings and dangers of his youth, and bequeathed to him on the scaffold by one of those, who, in the year 1686, sealed their enthusiastic principles with their blood. The sun sent its rays through a small window at the old man's back, and, "shining motty through the reek," to use the expression of a bard of that time and country, illu-



mined the grey hairs of the old man, and the sacred page which he studied. His features, far from handsome, and rather harsh and severe, from their expression of habitual gravity, and contempt for earthly things, had an expression of stoical dignity amidst their sternness. He boasted, in no small degree, the attributes which Southey ascribes to the ancient Scandinavians, whom he terms «firm to resolve, and stubborn to endure.” The whole formed a picture, of which the lights might have been given by Rembrandt, but the outline would have required the force and vigour of Michael Angelo.

Deans lifted his eye as Butler entered, and instantly withdrew it, as from an object which gave him at once surprise and sudden pain. He had assumed such high ground with this carnal-witted scholar, as he had in his pride termed Butler, that to meet him of all men, under feelings of humiliation, aggravated his misfortune, and was a consummation like that of the dying chief in the old ballad — «Earl Percy sees my fall.”

Deans raised the Bible with his left hand, so as partly to screen his face, and putting back his right as far as he could, held it towards Butler in that position, at the same time turning his body from him, as if to prevent his seeing the working of his countenance. Butler clasped



the extended hand which had supported his orphan infancy, wept over it, and in vain endeavoured to say more than the words, — “God comfort you God comfort you!”

“He will — he doth, my friend,” said Deans, assuming firmness as he discovered the agitation of his guest, “he doth now, and he will yet more, in his own gude time. I have been ower proud of my sufferings in a gude cause, Reuben, and now I am to be tried with those whilk will turn my pride and glory into a reproach and a hissing. How muckle better I hae thought mysell than them that lay saft, fed sweet, and drank deep, when I was in the moss-haggs and moors, wi’ precious Donald Cameron, and worthy Mr Blackadder, called Guessagain; and how proud I was o’ being made a spectacle to men and angels, having stood on their pillory at the Canongate afore I was fifteen years old, for the cause of a national covenant. To think, Reuben, that I, wha hae been sae honoured and exalted in my youth, nay, when I was but a hafflins callant, and that hae borne testimony again the defections o’ the times yearly, monthly, daily, hourly, minutely, striving and testifying with uplifted hand and voice, crying aloud, and sparing not, against all great national snares, as the nation-wasting and church-sinking abomination of union, toleration, and patronage, imposed by the last



woman of that unhappy race of Stuarts; also against the infringements and invasions of the just powers of eldership, whereanent I uttered my paper, called a ,Cry of an Howl in the Desart,' printed at the Bow-head, and sold by all flying stationers in town and country — and now" —

Here he paused. It may well be supposed that Butler, though not absolutely coinciding in all the good old man's ideas about church government, had too much consideration and humanity to interrupt him, while he reckoned up with conscious pride his sufferings, and the constancy of his testimony. On the contrary, when he paused under the influence of the bitter recollections of the moment, Butler instantly threw in his mite of encouragement.

«You have been well known, my old and revered friend, a true and tried follower of the Cross; one who, as Saint Jerome hath it, *per infamiam et bonam famam grassari ad immortalitatem*, which may be freely rendered, ,who rusheth on to immortal life, through bad report and good report.' You have been one of those to whom the tender and fearful souls cry during the midnight solitude, — ,Watchman, what of the night? — Watchman, what of the night?' — And, assuredly, this heavy dispensation, as it comes



not without Divine permission, so it comes not without its special commission and use."

"I do receive it as such," said poor Deans, returning the grasp of Butler's hand, "and, if I have not been taught to read the Scripture in any other tongue but my native Scottish, (even in his distress Butler's Latin quotation had not escaped his notice,) I have, nevertheless, so learned them, that I trust to bear even this crook in my lot with submission. But O, Reuben Butler, the kirk, of whilk, though unworthy, I have yet been thought a polished shaft, and meet to be a pillar, holding, from my youth upward, the place of ruling elder — what will the lightsome and profane think of the guide that cannot keep his own family from stumbling? How will they take up their song and their reproach, when they see that the children of professors are liable to as foul backsliding as the offspring of Belial! But I will bear my cross with the comfort, that whatever shewed like goodness in me or mine, was but like the light that shines frae creeping insects, on the brae-side, in a dark night — it kythes bright to the ee, because all is dark around it; but when the morn comes on the mountains, it is but a puir crawling kail-worm after a'. And sae it shews, wi' ony rag of human righteousness, or formal law-work, that we may pit round us to cover our shame."



As he pronounced these words, the door again opened, and Mr Bartholine Saddletree entered, his three-pointed hat set far back on his head, with a silk handkerchief beneath it, to keep it in that cool position, his gold-headed cane in his hand, and his whole deportment that of a wealthy burgher, who might one day look to have a share in the magistracy if not actually to hold the curule chair itself.

Rochefaucault, who has torn the veil from so many foul gangrenes of the human heart, says, we find something not altogether unpleasant to us in the misfortunes of our best friends. Mr Saddletree would have been very angry had any one told him that he felt pleasure in the disaster of poor Effie Deans, and the disgrace of her family; and yet there is great question whether the gratification of playing the person of importance, inquiring, investigating, and laying down the law on the whole affair, did not offer, to say the least, full consolation for the pain which pure sympathy gave him on account of his wife's kinswoman. He had now got a piece of real judicial business by the end, instead of being obliged, as was his common case, to intrude his opinion where it was neither wished nor wanted; and felt as happy in the exchange as a boy when he gets his first new watch, which actually goes when wound up, and has real hands and a



true dial-plate. But besides this subject for legal disquisition, Bartholine's brains were also overloaded with the affair of Porteous, his violent death, and all its probable consequences to the city and community. It was what the French call *l'embarras des richesses*, the confusion arising from too much mental wealth. He walked in with a consciousness of double importance, full fraught with the superiority of one who possesses more information than the company into which he enters, and who feels a right to discharge his learning on them without mercy. "Good morning, Mr Deans, —good-morrow to you, Mr Butler, —I was not aware that you was acquainted with Mr Deans."

Butler made some slight answer; his reasons may be readily imagined for not making his connection with the family, which, in his eyes, had something of tender mystery, a frequent subject of conversation with indifferent persons, such as Saddletree.

The worthy burgher, in the plenitude of self-importance, now sate down upon a chair, wiped his brow, collected his breath, and made the first experiment of the resolved pith of his lungs, in a deep and dignified sigh, resembling a groan in sound and intonation — "Awfu' times these, neighbour Deans, awfu' times."

"Sinfu', shamefu', heaven-daring times," answered Deans, in a lower and more subdued tone.



“For my part,” continued Saddletree, swelling with importance, “what between the distress of my friends, and my poor auld country, ony wit that ever I had may be said to have abandoned me, sae that I sometimes think myself as ignorant as if I were *inter rusticos*. Here when I arise in the morning, wi’ my mind just arranged touching what’s to be done in puir Effie’s misfortune, and hae gotten the hale statute at my finger-ends, the mob maun get up and string Jock Porteous to a dyester’s beam, and ding a’ thing out of my head again.”

Deeply as he was distressed with his own domestic calamity, Deans could not help expressing some interest in the news. Saddletree immediately entered on details of the insurrection and its consequences, while Butler took the occasion to seek some private conversation with Jeanie Deans. She gave him the opportunity he sought, by leaving the room, as if in prosecution of some part of her morning labour. Butler followed her in a few minutes, leaving Deans so closely engaged by his busy visitor, that there was little chance of his observing their absence.

The scene of their interview was an outer apartment, where Jeanie was used to busy herself in arranging the productions of her dairy. When Butler found an opportunity of stealing after her into this place, he found her silent,



dejected, and ready to burst into tears. Instead of the active industry with which she had been accustomed, even while in the act of speaking, to employ her hands in some useful branch of household business, she was seated listless in a corner, sinking apparently under the weight of her own thoughts. Yet the instant he entered, she dried her eyes, and, with the simplicity and openness of her character, immediately entered on the conversation.

“I am glad you have come in, Mr Butler,” said she, “for — for — for I wished to tell ye, that all maun be ended between you and me — its best for baith our sakes.”

“Ended!” said Butler, in surprise; “and for what should it be ended? — I grant this is a heavy dispensation, but it lies neither at your door nor mine — it’s an evil of God’s sending, and it maun be borne; but it canna break plighted troth, Jeanie, while they that plighted their word wish to keep it.”

“But, Reuben,” said the young woman, looking at him affectionately, “I ken weel that ye think mair of me than yourself; and, Reuben, I can only in requital think mair of your weal than of my ain. Ye are a man of spotless name, bred to God’s ministry, and a’ men say that ye will some day rise high in the kirk, though poverty keep ye down e’en now. Poverty is a bad



back - friend, Reuben, and that ye ken ower weel; but ill fame is a waur ane, and that is a truth ye sall never learn through my means."

"What do ye mean?" said Butler, eagerly and impatiently; "or how do you connect your sister's guilt, if guilt there be, which, I trust in God, may yet be disproved, with our engagement? — how can that affect you or me?"

"How can you ask me that, Mr Butler? Will this stain, dy'e think, ever be forgotten as long as our heads are abune the grund? Will it not stick to us, and to our bairns, and to their very bairns' bairns? To hae been the child of an honest man, might hae been saying something for me and mine; but to be the sister of a — O, my God!" — With this exclamation her resolution failed, and she burst into a passionate fit of tears.

The lover used every effort to induce her to compose herself, and at length succeeded; but she only resumed her composure to express herself with the same positiveness as before. "No, Reuben, I'll bring disgrace hame to nae man's hearth; my ain distresses I can bear, and I maun bear, but there is nae occasion for buckling them on other folk's shouthers. I will bear my load alone — the back is made for the burthen."

A lover is by charter wayward and suspicious; and Jeanie's readiness to renounce their



engagement, under pretence of zeal for his peace of mind and respectability of character, seemed to poor Butler to form a portentous combination with the commission of the stranger he had met with that morning. His voice faltered as he asked, «Whether nothing but a sense of her sister's present distress occasioned her to talk in that manner?»

«And what else can do sae?» she replied with simplicity. «Is it not ten long years since we spoke together in this way?»

«Ten years?» said Butler. «It's a long time — sufficient perhaps for a woman to weary» —

«To weary of her auld gown,” said Jeanie, «and to wish for a new ane, if she likes to be brave, but not long enough to weary of a friend — The eye may wish change, but the heart never.”

«Never?» said Reuben, — «that's a bold promise-”

«But not more bauld than true,” said Jeanie, with the same quiet simplicity which attended her manner in joy and grief, in ordinary affairs, and in those which most interested her feelings.

Butler paused, and, looking at her fixedly — «I am charged,” he said, «with a message to you, Jeanie.”

«Indeed! From whom? Or what can ony ane have to say to me?»

«It is from a stranger,” said Butler, affect-



ing to speak with an indifference which his voice belied — «A young man whom I met this morning in the Park.»

«My God!» said Jeanie eagerly; «and what did he say?»

«That he could not see you at the hour he proposed, but required you should meet him alone at Muschat's Cairn this night, so soon as the moon rises.»

«Tell him,» said Jeanie hastily, «I shall certainly come.»

«May I ask,» said Butler, his suspicions increasing at the ready alacrity of the answer, «who this man is to whom you are so willing to give the meeting at a place and hour so uncommon?»

«Folk maun do muckle they have little will to do, in this world,» replied Jeanie.

«Granted,» said her lover; «but what compels you to this? — who is this person? What I saw of him was not very favourable — who, or what is he?»

«I do not know,» replied Jeanie composedly.

«You do not know,» said Butler, stepping impatiently through the apartment — «You purpose to meet a young man whom you do not know, at such a time, and in a place so lonely — you say you are compelled to do this — and yet you say you do not know the person who exercises such an influence over you! — Jeanie, what am I to think of this?»



«Think only, Reuben, that I speak truth, as if I were to answer at the last day. — I do not ken this man — I do not even ken that I ever saw him, and yet I must give him the meeting he asks — there's life and death upon it.»

«Will you not tell your father, or take him with you?» said Butler.

«I cannot,» said Jeanie; «I have no permission.»

«Will you let *me* go with you? I will wait in the Park till nightfall, and join you when you set out.»

«It is impossible,» said Jeanie; «there maunna be mortal creature within hearing of our conference.»

«Have you considered well the nature of what you are going to do? — the time — the place — an unknown and suspicious character? — Why, if he had asked to see you in this house, your father sitting in the next room, and within call, at such an hour, you should have refused to see him.»

«My weird maun be fulfilled, Mr Butler; my life and my safety are in God's hands, but I'll not spare to risk either of them on the errand I am gaun to do.»

«Then, Jeanie,» said Butler, much displeased, «we must indeed break short off, and bid farewell. When there can be no confidence



betwixt a man and his plighted wife on such a momentous topic, it is a sign that she has no longer the regard for him that makes their engagement safe and suitable."

Jeanie looked at him and sighed. "I thought," she said, "that I had brought myself to bear this parting — but — but — I did not ken that we were to part in unkindness. But I am a woman and you are a man — it may be different wi' you — if your mind is made easier by thinking sae hardly of me, I would not ask you to think otherwise."

"You are," said Butler, "what you have always been — wiser, better, and less selfish in your native feelings, than I can be, with all the helps philosophy can give to a Christian. — But why — why will you persevere in an undertaking so desperate? Why will you not let me be your assistant — your protector, or at least your adviser?"

"Just because I cannot, and I dare not," answered Jeanie. — "But hark, what's that? Surely my father is no weel?"

In fact, the voices in the next room became obstreperously loud of a sudden, the cause of which vociferation it is necessary to explain before we go farther.

When Jeanie and Butler retired, Mr Saddle-tree entered upon the business which chiefly interested the family. In the commencement of



their conversation he found old Deans, who, in his usual state of mind, was no granter of propositions, so much subdued by a deep sense of his daughter's danger and disgrace, that he heard without replying to, or perhaps without understanding, one or two learned disquisitions on the nature of the crime imputed to her charge, and on the steps which ought to be taken in consequence. His only answer at each pause was, "I am no misdoubting that you wuss us weel — your wife's our far awa' cousin."

Encouraged by these symptoms of acquiescence, Saddletree, who, as an amateur of the law, had a supreme deference for all constituted authorities, again recurred to his other topic of interest, the murder, namely, of Porteous, and pronounced a severe censure on the parties concerned.

"These are kittle times — kittle times, Mr Deans, when the people take the power of life and death out of the hands of the rightful magistrate into their ain rough grip. I am of opinion, and so I believe will Mr Crossmyloof and the Privy-Council, that this rising in effair of war, to take away the life of a reprieved man, will prove little better than perduellion."

"If I hadna that on my mind that's ill to bear, Mr Saddletree," said Deans, "I wad make bold to dispute that point wi' you."

"How could ye dispute what's plain law,



man?" said Saddletree, somewhat contemptuously; "there's no a callant that e'er carried a pock wi' a process in't, but will tell you that per-duellion is the warst and maist virulent kind of treason, being an open convocating of the king's lieges against his authority, (mair especially in arms, an by touk of drum, to baith whilk accessories my een and lugs bore witness,) and muckle warse than lease-majesty, or the concealment of a treason-able purpose — It winna bear a dispute, neighbour."

"But it will though," retorted douce Davie Deans; "I tell ye it will bear a dispute — I never like your cauld, legal, formal doctrines, neighbour Saddletree. I haud unco little by the Parliament-House, since the awfu' downfall of the hopes of honest folk that followed the Revolution."

"But what wad ye hae had, Mr Deans?" said Saddletree impatiently; "did na ye get baith liberty and conscience made fast, and settled by tailzie on you and your heirs for ever?"

"Mr Saddletree," retorted Deans, "I ken ye are one of those that are wise after the manner of this world, and that ye haud your part, and cast in your portion wi' the lang-heads and lang-gowns, and keep with the smart witty-pated lawyers of this our land — Weary on the dark and dolefu' cast that they hae gi'en this unhappy



kingdom, when their black hands of defection was clasped in the red hands of our sworn murderers: when those who had numbered the towers of our Zion, and marked the bulwarks of our Reformation, saw their hope turn into a snare, and their rejoicing into weeping."

"I canna understand this, neighbour," answered Saddletree. "I am an honest presbyterian of the Kirk of Scotland, and stand by her and the General Assembly, and the due administration of justice by the fifteen Lords o' Session and the five Lords o' Justiciary."

"Out upon ye, Mr Saddletree!" exclaimed David, who, in an opportunity of giving his testimony on the offences and backslidings of the land, forgot for a moment his own domestic calamity — "out upon your General Assembly, and the back of my hand to your Court o' Session! — What is the tane but a waefu' bunch o' cauldribe professors and ministers, that sate bien and warm when the persecuted remnant were warstling wi' hunger, and cauld, and fear of death, and danger of fire and sword, upon wet brae-sides, peat-haggs, and flow-mosses, and that now creep out of their holes, like blue-bottles in a blink of sunshine, to take the pu'pits and places of better folk — of them that witnessed, and testified, and fought, and endured pit, prison-house, and transportation beyond seas — A bonny like



there's o' them! — And for your Court o' Session " — —

"Ye may say what ye will o' the General Assembly," said Saddletree, interrupting him, "and let them clear them that kens them; but as for the Lords o' Session, forbye that they are my next door neighbours, I would have ye ken, for your ain regulation, that to raise scandal anent them, whilk is termed, to *murmur* again them, is a crime *sui generis* — *sui generis*, Mr Deans — ken ye what that amounts to?"

"I ken little o' the language of antichrist," said Deans; "and I care less than little what carnal courts may call the speeches of honest men. And as to murmur again them, it's what a' the folk that losses their pleas, and nine-tenths o' them that win them, will be gay sure to be guilty in. Sae I wad hae ye ken that I haud a' your gleg tongued advocates, that sell their knowledge for pieces of silver, and your worldly-wise judges, that will gi'e three days of hearing in presence to a debate about the peeling of an ingan, and no ae half-hour to the gospel testimony, as legalists and formalists, countenancing, by sentences, and quirks, and cunning terms of law, the late begun courses of national defections — union, toleration, patronages, and Yeras-tian prelatic oaths. As for the soul and body-killing Court o' Justiciary " —



The habit of considering his life as dedicated to bear testimony in behalf of what he deemed the suffering and deserted cause of true religion, had swept honest David along with it thus far; but with the mention of the criminal court, the recollection of the disastrous condition of his daughter rushed at once on his mind; he stopped short in the midst of his triumphant declamation, pressed his hands against his forehead, and remained silent.

Saddletree was somewhat moved, but apparently not so much so as to induce him to relinquish the privilege of prosing in his turn, afforded him by David's sudden silence. "Nae doubt, neighbour," he said, "it's a sair thing to hae to do wi' courts of law, unless it be to improve ane's knowledge and practique, by waiting on as a hearer; and touching this unhappy affair of Effie — ye'll hae seen the dittay doubtless?" He dragged out of his pocket a bundle of papers, and began to turn them over. "This is no it — this is the information of Mungo Marsport, of that ilk, against Captain Lackland, for coming on his lands of Marsport with hawks, hounds, lying-dogs, nets, guns, cross-bows, hagbuts of found, or rather engines more or less for destruction of game, sic as red-deer, fallow-deer, capper-cailzies, grey-fowl, moor-fowl, pair-tricks, herons, and sic like; he the said defender



not being ane qualified person in terms of the statute sixteen hundred and twenty-ane; that is, not having ane plough-gate of land. Now the defences proponed say, that *non constat* at this present what is a plough-gate of land, whilk uncertainty is sufficient to elide the conclusions of the libel. But then the answers to the defences, (they are signed by Mr Crossmyloof, but Mr Younglad drew them,) they propone, that it signifies naething, *in hoc statu*, what or how muckle a plough-gate of land may be, in respect the defender has nae lands whatsoe'er, less or mair. 'Sae grant a plough-gate' (here Saddle-tree read from the paper in his hand) «,to be less than the nineteenth part of a guse's grass, (I trow Mr Crossmyloof put in that — I ken his style,) — ,of a guse's grass, what the better will the defender be, seeing he hasna a divot-cast of land in Scotland? — *Advocatus* for Lackland duplies, that *nihil interest de possessione*, the pursuer must put his case under the statute' — now, this is worth your notice, neighbour, — ,and must show, *formaliter et specialiter*, as well as *generaliter*, what is the qualification that defender Lackland does *not* possess — let him tell me what a ploughgate of land is, and I'll tell him if I have one or no. Surely the pursuer is bound to understand his own libel, and his own statute that he founds upon. *Titius* pursues



*Maevius* for recovery of ane *black* horse lent to *Maevius* — surely he shall have judgment; but if *Titius* pursue *Maevius* for ane *scarlet* or *crimson* horse, doubtless he shall be bound to show that there is sic ane animal in *rerum natura*. No man can be bound to plead to nonsense — that is to say, to a charge which cannot be explained or understood, — (he's wrang there — the better the pleadings the fewer understand them,) — and so the reference unto this undefined and unintelligible measure of land is, as if a penalty was inflicted by statute for any man who suld hunt or hawk, or use lying-dogs, without having about him ane' — But I am wearying you, Mr Deans, we'll pass to your ain business, — though this case of Marsport against Lackland has made an unco din in the Outer-house — Weel, here's the dittay against pair Effie: , Whereas it is humbly meant and shown to us, ' etc. (they are words of mere style,) , that where, by the laws of this and every other well-regulated realm, the murder of any one, more especially of an infant child, is a crime of ane high nature, and severely punishable: And whereas, without prejudice to the foresaid generality, it was, by ane act made in the second session of the first Parliament of our most High and Dread Sovereigns William and Mary, especially enacted, that ane woman who shall have concealed her condition,



and shall not be able to show that she hath called for help at the birth, in case that the child shall be found dead or amissing, shall be deemed and held guilty of the murder thereof; and the said facts of concealment and pregnancy being found proven or confessed, shall sustain the pains of law accordingly; yet, nevertheless, you Effie, or Euphemia Deans' —

«Read no farther,” said Deans, raising his head up; «I would rather ye thrust a sword into my heart than read a word farther.”

«Weel, neighbour,” said Saddletree, «I thought it wad hae comforted ye to ken the best and the warst o't. But the question is, what's to be dune?”

«Nothing,” answered Deans firmly, «but to abide the dispensation that the Lord sees meet to send us. O if it had been His will to take the grey head to rest before this awful visitation on my house and name! But His will be done. I can say that yet, though I can say little mair.”

«But, neighbour,” said Saddletree, «ye'll retain advocates for the puir lassie? it's a thing maun needs be thought of.”

«If there was ae man of them,” answered Deans, «that held fast his integrity — but I ken them weel, they are a' carnal, crafty, and world-hunting self-seekers, Yerastians, and Arminians, every ane o' them.”



«Hout tout, neighbour, ye maunna take the world at it's word,” said Saddletree; «the very de'il is no sae ill as he's ca'd; and I ken mair than ae advocate that may be said to hae some integrity as weel as their neighbours; that is, after a sort o' fashion o' their ain.”

«It is indeed but a fashion of integrity that ye will find amang them,” replied David Deans, «and a fashion of wisdom, and fashion of carnal learning — gazing, glancing-glasses they are, fit only to fling the glaiks in folks een, wi' their pawky policy, and earthly ingine, their flights and refinements and periods of eloquence, frae heathen emperors and popish canons. They canna, in that daft trash ye were reading to me, sae muckle as ca' men that are sae ill-starred as be amang their hands, by ony name o' the dispensation o' grace, but maun new baptize them by the names of the accursed Titus, wha was made the instrument of burning the holy Temple, and other sic like heathens.”

«It's Tishius,” interrupted Saddletree, «and no Titus. Mr Crossmyloof cares as little about Titus or the Latin learning as ye do. — But it's case of necessity — she maun hae counsel. Now I could speak to Mr Crossmyloof — he's weel kenned for a round-spun presbyterian, and a ruling elder to boot.”

«He's a rank Yerastian,” replied Deans; «one



of the public and polititious warldly-wise men that stude up to prevent ane general owning of the cause in the day of power."

"What say ye to the auld Laird of Cuffabout?" said Saddletree; "he whiles thumps the dust out of a case gay and weel."

"He? the fause loon!" answered Deans — "he was in his bandaliers to hae joined the ungracious Highlanders in 1715, an' they had ever had the luck to cross the Firth."

"Weel, Arniston? there's a clever chield for ye," said Bartholine triumphantly.

"Ay, to bring popish medals in till their library from that schismatic woman in the north, the Duchess of Gordon."

"Weel, weel, but somebody ye maun hae — What think ye o' Kittlepunt?"

"He's an Arminian."

"Woodsetter?"

"He's, I doubt, a Cocceian."

"Auld Whilliewhaw?"

"He's ony thing ye like."

"Young Naemmo?"

"He's naething at a'."

"Ye're ill to please, neighbour," said Saddletree; "I hae run ower the pick o' them for you, ye maun e'en choose for yoursell; but bethink ye that in the multitude of counsellors there's safety. — What say ye to try young Mackenyie?"



he has a' his uncle's practiques at the tongue's end."

"What, sir, wad ye speak to me," exclaimed the sturdy presbyterian in excessive wrath, "about a man that has the blood of the saints at his fingers' ends? Didna his eme die and gang to his place wi' the name of the Bluidy Mackenyie? and winna he be kenned by that name sae lang as there's a Scots tongue to speak the word? If the life of the dear bairn that's under a suffering dispensation, and Jeanie's, and my ain, and a' mankind's, depended on my asking sic a slave o' Satan to speak a word for me or them, they should a' gae down the water thegither for Davie Deans."

It was the exalted tone in which he spoke this last sentence that broke up the conversation between Butler and Jeanie, and brought them both "ben the house," to use the language of the country. Here they found the poor old man half frantic, between grief, and zealous ire against Saddletree's proposed measures, his cheek inflamed, his hand clenched, and his voice raised, while the tear in his eye, and the occasional quiver of his accents, shewed that his utmost efforts were inadequate to shaking off the consciousness of his misery. Butler, apprehensive of the consequences of his agitation to an aged and



feeble frame, ventured to utter to him a recommendation to patience.

“*I am patient,*” returned the old man, sternly, — “more patient than any one who is alive to the woeful backslidings of a miserable time can be patient; and in so much, that I need neither sectarians, nor sons nor grandsons of sectarians, to instruct my grey hairs how to bear my cross.”

“But, sir,” continued Butler, taking no offence at the slur cast on his grandfather’s faith, “we must use human means. When you call in a physician, you would not, I suppose, question him on the nature of his religious principles?”

“*Wad I no?*” answered David — “But I wad though; and if he didna satisfy me that he had a right sense of the right hand and left-hand defections of the day not a goutte of his physic should gang through my father’s son.”

It is a dangerous thing to trust to an illustration. Butler had done so and miscarried; but, like a gallant soldier when his musket misses fire, he stood his ground, and charged with the bayonet. “This is too rigid an interpretation of your duty, sir. The sun shines, and the rain descends on the just and unjust, and they are placed together in life in circumstances which frequently render intercourse between them indispensable, perhaps that the evil may have an opportunity of being converted by the good,



and perhaps, also, that the righteous might, among other trials, be subjected to that of occasional converse with the profane."

"Ye're a silly callant, Reuben," answered Deans, "with your bits of argument. Can a man touch pitch and not be defiled? Or what think ye of the brave and worthy champions of the Covenant, that wadna sae muckle as hear a minister speak, be his gifts and graces as they would, that hadna witnessed against the enormities of the day? Nae lawyer shall ever speak for me and mine that hasna concurred in the testimony of the scattered, yet lovely remnant, which abode in the clifts of the rocks."

So saying, and as if fatigued, both with the arguments and presence of his guests, the old man arose, and seeming to bid them adieu with a motion of his head and hand, went to shut himself up in his sleeping apartment.

"It's thraving his daughter's life awa," said Saddletree to Butler, "to hear him speak in that daft gate. Where will he ever get a Cameronian advocate? Or wha ever heard of a lawyer's suffering either for ae religion or another? The lassie's life is clean flung awa."

During the latter part of this debate, Dumbiedikes had arrived at the door, dismounted, hung the poney's bridle on the usual hook, and sunk down on his ordinary settle. His eyes,



with more than their usual animation, followed first one speaker, then another, till he caught the melancholy sense of the whole from Saddletree's last words. He rose from his seat, stumped slowly across the room, and, coming close up to Saddletree's ear, said, in a tremulous anxious voice, «Will — will siller do naething for them, Mr Saddletree?»

«Umph!» said Saddletree, looking grave, — «siller will certainly do it in the Parliament-House, if ony thing *can* do it; but whare's the siller to come frae? Mr Deans, ye see, will do naething; and though Mrs Saddletree's their far-awa friend, and right gude weel-wisher, and is weel disposed to assist, yet she wadna like to stand to be bound *singuli in solidum* to such an expensive wark. An' ilka friend wad bear a share o' the burthen, something might be dune — ilka ane to be liable for their ain input — I wadna like to see the case fa' through without being pled — it wadna be creditable, for a' that daft whig body says.»

«I'll — I will — yes,» (assuming fortitude,) «I will be answerable,» said Dumbiedikes, „for a score of pund sterling,» — and he was silent, staring in astonishment at finding himself capable of such unwonted resolution and excessive generosity.



„God Almighty bless ye, Laird!” said Jeanie in a transport of gratitude.

„Ye may ca’ the twenty pund thretty,” said Dumbiedikes, looking bashfully away from her and towards Saddletree.

„That will do bravely,” said Saddletree, rubbing his hands; „and ye sall hae a’ my skill and knowledge to gar the siller gang far — I’ll tape it out well — I ken how to gar the birkies tak short fees, and be glad o’ them too — it’s only garring them trow ye hae twa or three cases of importance coming on, and they’ll work cheap to get custom. Let me alane for whillying an advocate; — it’s nae sin to get as muckle frae them for our siller as we can — after a’, it’s but the wind o’ their mouth — it costs them naething; whereas, in my wretched occupation of a saddler, horse-milliner, and harness-maker, we are out unconscionable sums just for barked hides and leather.”

„Can I be of no use?” said Butler. „My means, alas! are only worth the black coat I wear; but I am young — I owe much to the family — Can I do nothing?”

„Ye can help to collect evidence, sir,” said Saddletree; „if we could but find ony ane to say she had gi’en the least hint o’ her condition, she wad be brought aff wi’ a wat finger — Mr Crossmylooftell’d me sae. The crown, says he, canna



be craved to prove a positive — was't a positive or a negative they couldna be ca'd to prove? — it was the tane or the thither o' them, I am sure, and it maksna muckle matter whilk. Wherefore, says he, the libel maun be redargued by the pannel proving her defences. And it canna be done otherwise."

„But the fact, sir," argued Butler, „the fact that this poor girl has born a child; surely the crown lawyers must prove that?" said Butler.

Saddletree paused a moment, while the visage of Dumbiedikes, which traversed, as if it had been placed on a pivot, from the one spokesman to the other, assumed a more blithe expression.

„Ye — ye — ye — es," said Saddletree, after some grave hesitation; unquestionably that is a thing to be proved, as the court will more fully declare by an interlocutor of relevancy in common form; but I fancy that job's done already, for she has confessed her guilt."

„Confessed the murder?" exclaimed Jeanie, with a scream that made them all start.

„No, I didna say that," replied Bartholine. „But she confessed bearing the babe."

„And what became of it then?" said Jeanie; „for not a word could I get from her but bitter sighs and tears."

„She says it was taken away from her by the



woman in whose house it was born, and who assisted her at the time."

"And who was that woman?" said Butler. "Surely by her means the truth might be discovered. — Who was she? I will fly to her directly."

"I wish," said Dumbiedikes, "I were as young and as supple as you, and had the gift of the gab as weel."

"Who is she?" again reiterated Butler impatiently. — "Who could that woman be?"

"Ay, wha kens that but hersell," said Saddletree; "she deponed further, and declined to answer that interrogatory."

"Then to herself will I instantly go," said Butler; "farewell, Jeanie;" then coming close up to her. — Take no *rash steps* till you hear from me. Farewell," and he immediately left the cottage.

"I wad gang too," said the landed proprietor, in an anxious, jealous, and repining tone, "but my powney winna for the life o' me gang ony other road than just frae Dumbiedikes to this house-end, and sae straight back again."

"Ye'll do better for them," said Saddletree, as they left the house together, "by sending me the thretty pund."

"Thretty pund?" hesitated Dumbiedikes, who was now out of the reach of those eyes which



had inflamed his generosity; „I only said *twenty* puns.”

„Ay; but,” said Saddletree, „that was under protestation to add and eik; and so ye craved leave to amend your libel, and made it thretty.”

„Did I? I dinna mind that I did,” answered Dumbiedikes. „But whatever I said I’ll stand to.” Then bestriding his steed with some difficulty, he added, „Dinna ye think poor Jeanie’s een wi’ the tears in them glanced like lamour beads, Mr Saddletree?”

„I kenna muckle about women’s een, Laird,” replied the insensible Bartholine; „and I care just as little. I wuss I were as weel free o’ their tongues; though few wives,” he added, recollecting the necessity of keeping up his character for domestic rule, „are under better command than mine, Laird. I allow neither per-duellion nor laese-majesty against my sovereign authority.

The Laird saw nothing so important in this observation as to call for a rejoinder, and when they had exchanged a mute salutation, they parted in peace upon their different errands.

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